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THE

ELOQUENCE

OF THE

BRITISH SENATE;

BEING

A SELECTION OF THE BEST SPEECHES

OF

44612

THE MOST DISTINGUISHED

ENGLISH, IRISH, AND SCOTCH

PARLIAMENTARY SPEAKERS,

FROM THE BEGINNING OF THE REIGN OF CHARLES I.

TO THE PRESENT TIME.

WITH NOTES,

BIOGRAPHICAL, CRITICAL, AND EXPLANATORY.

B 1983

BY WILLIAM HAZLITT.

IN TWO VOLUMES.

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ADVERTISEMENT.

THIS collection took its rise from a wish which the compiler had sometimes felt, in hearing the praises of the celebrated orators of former times, to know what figure they would have made by the side of those of our own times, with whose productions we are better acquainted. For instance, in reading Burke, I should have been glad to have had the speeches of Lord Chatham at hand, to compare them; and I have had the same curiosity to know, whether Walpole had any thing like the dexterity and plausibility of Pitt. As there are probably other readers, who may have felt the same kind of curiosity, I thought I could not employ my time better than in attempting to gratify it. Besides, it is no more than a piece of justice due to the *mighty dead.* It is but right we should know what we owe to them, and how far we have improved upon, or fallen short of them. Who could not give almost any thing to have seen Garrick, and Betterton, and Quin? Our politicians are almost as short-lived a race as our players, "who strut and fret an hour upon the stage, and then are heard no more." The event, and the hero of the moment engross all our attention, and in the *vastness* of our present views, we entirely overlook the past. Those celebrated men of the last age, the Walpoles, the Pulteneys, the Pelhams, the Harleys, the Townshends, and the Norths, who filled the columns of the news-papers with their speeches, and every public place with their fame, who were the mouth-pieces of their party, nothing but perpetual smoke and bounce, incessant volley without let or intermission, who were the wisdom of the wise, and the strength of the strong, whose praises were inscribed on every window-shutter or brick-wall, or floated through the bu-

sy air, upborne by the shouts and huzzas of a giddy multitude, all of them are now silent and forgotten; all that remains of them is consigned to oblivion in the musty records of Parliament, or lives only in the shadow of a name. I wished therefore to bring them on the stage once more, and drag them out of that obscurity, from which it is now impossible to redeem their *fellow-actors*. I was uneasy till I had made the monumental pile of octavos and folios, "wherein I saw them quietly inurned, open its ponderous and marble jaws," and "set the imprisoned wranglers free again." It is possible that some of that numerous race of orators, who have sprung up within the last ten years, to whom I should certainly have first paid my compliments, may not be satisfied with the space allotted them in these volumes. But I cannot help it. My object was to revive what was forgotten, and embody what was permanent; and not to echo the loquacious babblings of these accomplished persons, who, if all their words were written in a book, the world would not contain them. Besides, living speakers may, and are in the habit of printing their own speeches. Or even if this were not the case, there is no danger, while they have breath and lungs left, that they will ever suffer the public to be at a loss for daily specimens of their polished eloquence and profound wisdom.

There were some other objects to be attended to in making this collection, as well as the style of different speakers. I wished to make it a history, as far as I could, of the progress of the language, of the state of parties at different periods, of the most interesting debates, and in short, an abridged parliamentary history for the time. It was necessary that it should serve as a common-place book of the principal topics, of the *pros* and *cons* of the different questions, that may be brought into dispute. If, however, this work has the effect which I intend it to have, it will rather serve to put a stop to that vice of *much*

speaking, which is the fashion of the present day, by shewing our forward disputants how little new is to be said on any of these questions, than offer a temptation to their vanity to enrich themselves out of the spoils of others. I have also endeavoured to gratify the reader's curiosity, by sometimes giving the speeches of men who were not celebrated for their eloquence, but for other things; as Cromwell, for example. If, therefore, any one expects to find nothing but eloquent speeches in these volumes, he will certainly be disappointed. A very small volume indeed, would contain all the recorded eloquence of both houses of parliament.

As to the notes and criticisms, which accompany the speeches, I am aware that they are too long and frequent for a work of this nature. If, however, the reader should not be of opinion that "the things themselves are neither new nor rare," he is at liberty to apply the next line of the satire to them,—he may naturally enough wonder, "how the devil they got there." The characters of Chatham, Burke, Fox, and Pitt, are those which are the most laboured. As to the first of these, I am not so certain. It was written in the heat of the first impression which his speeches made upon me: and perhaps the first impression is a fair test of the effect they must produce on those who heard them.—But farther I will not be answerable for it. As to the opinions I have expressed of the three last speakers, they are at least my settled opinions, and I believe I shall not easily change them. In the selections from Burke, I have followed the advice of friends in giving a whole speech, whereas I ought to have given only extracts.

For the bias which may sometimes appear in this work, I shall only apologize by referring the impartial reader to the different characters of Fox and Burke. These will, I think, shew, that whatever my prejudices may be, I am not much disposed to be blinded by them.

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GEORGE III.

(GRANDSON OF GEORGE II.)

His Speech to both Houses of Parliament.

My Lords and Gentlemen,

At the opening of the first parliament summoned and elected under my authority, I with pleasure take notice of an event, which has made me completely happy, and given universal joy to my loving subjects. My marriage with a princess, eminently distinguished by every virtue and amiable endowment, whilst it affords me all possible domestic comfort, cannot but highly contribute to the happiness of my kingdoms; which has been, and always shall be, my first object in every action of my life.

It has been my earnest wish, that this period of my reign might be marked with another felicity; the restoring of the blessings of peace to my people, and putting an end to the calamities of war, under which so great

a part of Europe suffers. But though overtures were made to me, and my good brother and ally the king of Prussia, by the several belligerent powers, in order to a general pacification, for which purpose a congress was appointed; and propositions were made to me by France for a particular peace with that crown, which were followed by an actual negociation; yet that congress hath not hitherto taken place, and the negociation with France is entirely broken off.

The sincerity of my disposition to effectuate this good work has been manifested in the progress of it; and I have the consolation to reflect, that the continuance of the war, and the farther effusion of christian blood, to which it was the desire of my heart to put a stop, cannot with justice be imputed to me.

Our military operations have in no degree been suspended or delayed: and it has pleased God to grant us farther important successes, by the conquests of the islands of Belleisle and Dominica; and by the reduction of Pondicherry, which hath in a manner annihilated the French power in the East Indies. In other parts, where the enemy's numbers were greatly superior, their principal designs and projects have been generally disappointed, by a conduct which does the highest honour to the distinguished capacity of my general, prince Ferdinand of Brunswick, and by the valour of my troops. The magnanimity and ability of the king of Prussia have eminently appeared, in resisting such numerous armies, and surmounting so great difficulties.

In this situation, I am glad to have an opportunity of receiving the truest information of the sense of my people, by a new choice of their representatives. I am fully persuaded you will agree with me in opinion, that the steady exertion of our most vigorous efforts, in every part where the enemy may still be attacked with advantage, is the only means that can be productive of such a peace as may with reason be expected from our successes. It is therefore my fixed resolution, with your

concurrence and support, to carry on the war in the most effectual manner for the interest and advantage of my kingdoms; and to maintain to the utmost of my power the good faith and honour of my crown, by adhering firmly to the engagements entered into with my allies. In this I will persevere, until my enemies, moved by their own losses and distresses, and touched with the miseries of so many nations, shall yield to the equitable conditions of an honourable peace; in which case, as well as in the prosecution of the war, I do assure you, no consideration whatever shall make me depart from the true interests of these my kingdoms, and the honour and dignity of my crown.

Gentlemen of the house of commons, I am heartily sorry, that the necessity of large supplies appears so clearly from what has already been mentioned. The proper estimates for the service for the ensuing year shall be laid before you; and I desire you to grant me such supplies, as may enable me to prosecute the war with vigour, and as your own welfare and security, in the present critical conjuncture, require; that we may happily put the last hand to this great work. Whatsoever you give, shall be duly and faithfully applied.

I doubt not your affectionate regard for me and the queen makes you go before me in what I am next to mention; the making an adequate and honourable provision for her support, in case she should survive me. This is what not only her royal dignity, but her own merit calls for; and I earnestly recommend it to your consideration.

My lords, and gentlemen, I have such a confidence in the zeal and good affections of this parliament, that I think it quite superfluous to use any exhortations to excite you to a right conduct. I will only add, there never was a situation in which unanimity, firmness, and dispatch, were more necessary for the safety, honour, and true interest of Great Britain.

MR. PITT,

(LATE EARL OF CHATHAM.)

I had not yet come to any thing that would justify the high encomiums, generally and deservedly passed on lord Chatham. But his genius, like Burke's, burnt brightest at the last. The spark of liberty, which had lain concealed and dormant, buried under the dirt and rubbish of state intrigue and vulgar faction, now met with congenial matter, and kindled up "a flame of sacred vehemence" in his breast. It burst forth with a fury and a splendour that might have awed the world, and made kings tremble. He spoke as a man should speak, because he felt as a man should feel in such circumstances. He came forward as the advocate of liberty, as the defender of the rights of his fellow-citizens, as the enemy of tyranny, as the friend of his country, and of mankind. He did not stand up to make a vain display of his talents, but to discharge a duty, to maintain that cause which lay nearest to his heart, to preserve the ark of the British constitution from every sacrilegious touch, as the high-priest of his calling, with a pious zeal. The feelings and the rights of Englishmen were enshrined in his heart; and with their united force braced every nerve, possessed every faculty, and communicated warmth and vital energy to every part of his being. The whole man moved under this impulse. He felt the cause of liberty as his own He resented every injury done to her as an injury to himself, and every attempt to defend it as an insult upon his understanding. He did not stay to dispute about words, about nice distinctions, about trifling forms. He laughed at the little attempts of little retailers of logic to entangle him in senseless argument. He did not come there as to a debating club, or law court, to start questions and hunt them down; to wind and unwind the web of sophistry; to pick out the threads, and untie every knot with scrupulous exactness; to bandy logic with every pretender to a paradox; to examine, to sift evidence; to dissect a doubt and halve a scruple; to weigh folly and knavery in scales together, and see on which side the balance preponderated; to prove that liberty, truth, virtue, and justice were good things, or that slavery and corruption were bad things. He did not try to prove those truths which did not require any proof, but to make others feel them with the same force that he did; and to tear off the flimsy disguises with which the sycophants of power attempted to cover them.—The business of an orator is not to convince, but persuade; not to inform, but to rouse the mind; to build upon the habitual prejudices of mankind, (for reason of itself will do nothing,) and to add feeling to prejudice, and action to feeling. There is nothing new, or curious, or profound, in lord

Chatham's speeches. All is obvious and common; there is nothing but what we already knew, or might have found out for ourselves. We see nothing but the familiar every-day face of nature. We are always in broad day-light. But then there is the same difference between our own conceptions of things and his representation of them, as there is between the same objects seen on a dull cloudy day, or in the blaze of sunshine. His common sense has the effect of inspiration. He electrifies his hearers, not by the novelty of his ideas, but by their force and intensity. He has the same ideas of other men, but he has them in a thousand times greater clearness and strength and vividness. Perhaps there is no man so poorly furnished with thoughts and feelings but that if he could recollect all that he knew, and had all his ideas at perfect command, he would be able to confound the puny arts of the most dexterous sophist that pretended to make a dupe of his understanding. But in the mind of Chatham, the great substantial truths of common sense, the leading maxims of the constitution, the real interests and general feelings of mankind, were in a manner embodied. He comprehended the whole of his subject at a single glance—every thing was firmly rivetted to its place; there was no feebleness, no forgetfulness, no pause, no distraction; the ardour of his mind overcame every obstacle, and he crushed the sophisms of his adversaries as we crush an insect under our feet.—His imagination was of the same character with his understanding, and was under the same guidance. Whenever he gave way to it, it "flew an eagle flight, forth and right on;" but it did not become enamoured of its own motion, wantoning in giddy circles, or "sailing with supreme dominion through the azure deep of air." It never forgot its errand, but went strait forward, like an arrow to its mark, with an unerring aim. It was his servant, not his master.

To be a great orator does not require the highest faculties of the human mind, but it requires the highest exertion of the common faculties of our nature. He has no occasion to dive into the depths of science, or to soar aloft on angels' wings. He keeps upon the surface, he stands firm upon the ground; but his form is majestic, and his eye sees far and near: he moves among his fellows, but he moves among them as a giant among common men. He has no need to read the heavens, to unfold the system of the universe, or create new worlds for the delighted fancy to dwell in; it is enough that he sees things as they are; that he knows and feels and remembers the common circumstances and daily transactions that are passing in the world around him. He is not raised above others by being superior to the common interests, prejudices, and passions of mankind, but by feeling them in a more intense degree than they do. Force then is the sole characteristic excellence of an orator; it is almost the only one that can be of any service to him. Refinement, depth, elevation, delicacy, originality, ingenuity, inven-

tion, are not wanted: he must appeal to the sympathies of human nature, and whatever is not founded in these, is foreign to his purpose. He does not create, he can only imitate or echo back the public sentiment. His object is to call up the feelings of the human breast; but he cannot call up what is not already there, The first duty of an orator is to be understood by every one; but it is evident that what all can understand, is not in itself difficult of comprehension. He cannot add any thing to the materials afforded him by the knowledge and experience of others.

Lord Chatham, in his speeches, was neither philosopher nor poet. As to the latter, the difference between poetry and eloquence I take to be this: that the object of the one is to delight the imagination, that of the other to impel the will. The one ought to enrich and feed the mind itself with tenderness and beauty, the other furnishes it with motives of action. The one seeks to give immediate pleasure, to make the mind dwell with rapture on its own workings—it is to itself "both end and use:" the other endeavours to call up such images as will produce the strongest effect upon the mind, and makes use of the passions only as instruments to attain a particular purpose. The poet lulls and soothes the mind into a forgetfulness of itself, and "laps it in Elysium:" the orator strives to awaken it to a sense of its real interests, and to make it feel the necessity of taking the most effectual means for securing them. The one dwells in an ideal world; the other is only conversant about realities. Hence poetry must be more ornamented, must be richer and fuller and more delicate, because it is at liberty to select whatever images are naturally most beautiful, and likely to give most pleasure; whereas the orator is confined to particular facts, which he may adorn as well as he can, and make the most of, but which he cannot strain beyond a certain point without running into extravagance and affectation, and losing his end. However, from the very nature of the case, the orator is allowed a greater latitude, and is compelled to make use of harsher and more abrupt combinations in the decoration of his subject; for his art is an attempt to reconcile beauty and deformity together: on the contrary, the materials of poetry, which are chosen at pleasure are in themselves beautiful, and naturally combine with whatever else is beautiful. Grace and harmony are therefore essential to poetry, because they naturally arise out of the subject; but whatever adds to the effect, whatever tends to strengthen the idea or give energy to the mind, is of the nature of eloquence. The orator is only concerned to give a tone of masculine firmness to the will, to brace the sinews and muscles of the mind; not to delight our nervous sensibilities, or soften the mind into voluptuous indolence. The flowery and sentimental style is of all others the most intolerable in a speaker. I shall only add on this subject, that modesty, impartiality and candour, are not the virtues of a public speaker. He must be confident, inflexible,

uncontrolable, overcoming all opposition by his ardour and impetuosity. We do not *command* others by sympathy with them, but by power, by passion, by will. Calm inquiry, sober truth, and speculative indifference, will never carry any point. The passions are contagious; and we cannot contend against opposite passions with nothing but naked reason. Concessions to an enemy are clear loss: he will take advantage of them, but make us none in return. He will magnify the weak sides of our argument, but will be blind to whatever makes against himself. The multitude will always be inclined to side with that party, whose passions are the most inflamed, and whose prejudices are the most inveterate. Passion should therefore never be sacrificed to truth. It should indeed be governed by prudence, but it should yield nothing to reason, or principle. Fox was a reasoner, lord Chatham was an orator. Burke was both a reasoner, and a poet; and was therefore still farther removed from that conformity with the vulgar notions and mechanical feelings of makind, which will always be necessary to give a man the chief sway in a popular assembly.

Mr. Pitt's Speech on the American Stamp Act.

MR. PITT at beginning was rather low, and as every one was in agitation at his first rising, his introduction was not heard, till he said, I came to town but to-day; I was a stranger to the tenor of his majesty's speech, and the proposed address, till I heard them read in this house. Unconnected and unconsulted, I have not the means of information; I am fearful of offending through mistake, and therefore beg to be indulged with a second reading of the proposed address.

The address being read, Mr. Pitt went on; he commended the king's speech, approved of the address in answer, as it decided nothing, every gentleman being left at perfect liberty to take such a part concerning America, as he might afterwards see fit. One word only he could not approve of; "early" is a word that does not belong to the notice the ministry have given to parliament of the troubles in America. In a matter of such importance, the communication ought to have been immediate: I speak not with respect to parties, I stand

up in this place singly and unconnected. As to the late ministry, (turning himself to Mr. Grenville,) every capital measure they have taken, has been entirely wrong. As to the present gentlemen, to those at least whom I have in my eye, (looking at the bench where Mr. Conway sat, with the lords of the treasury,) I have no objection; I have never been made a sacrifice by any of them. Their characters are fair; and I am always glad when men of fair character engage in his majesty's service. Some of them have done me the honour to ask my poor opinion, before they would engage. These will do me the justice to own, I advised them to engage; but notwithstanding I love to be explicit, I cannot give them my confidence. Pardon me, gentlemen, (bowing to the ministry) confidence is a plant of slow growth in an aged bosom: youth is the season of credulity: by comparing events with each other, reasoning from effects to causes, methinks I plainly discover the traces of an over-ruling influence.

There is a clause in the act of settlement, to oblige every minister to sign his name to the advice which he gives to his sovereign. Would it were observed! I have had the honour to serve the crown, and if I could have submitted to influence, I might have still continued to serve; but I would not be responsible for others. I have no local attachments: it is indifferent to me, whether a man was rocked in his cradle on this or that side of the Tweed. I sought for merit wherever it was to be found.—It is my boast, that I was the first minister that looked for it, and I found it, in the mountains of the North. I called forth, and drew into your service, a hardy and intrepid race of men! men, who, when left by your jealousy, became a prey to the artifices of your enemies, and had gone nigh to have overturned the state, in the war before the last. These men, in the last war, were brought to combat on your side: they served with fidelity, as they fought with valour, and conquered for you in every part of the world: detested be the national reflections against them! they are unjust,

groundless, illiberal, unmanly. When I ceased to serve his majesty as a minister, it was not the country of the man by which I was moved, but the man of that country wanted wisdom, and held principles incompatible with freedom,

It is a long time, Mr. Speaker, since I have attended in parliament. When the resolution was taken in the house to tax America, I was ill in bed. If I could have endured to have been carried in my bed, so great was the agitation of my mind for the consequence, I would have solicited some kind hand, to have laid me down on this floor, to have born my testimony against it. It is now an act that has passed: I would speak with decency of every act of this house, but I must beg the indulgence of the house to speak of it with freedom.

I hope a day may soon be appointed to consider the state of the nation with respect to America. I hope gentlemen will come to this debate with all the temper and impartiality that his majesty recommends, and the importance of the subject requires: a subject of greater importance than ever engaged the attention of this house, that subject only excepted, when, near a century ago, it was the question, whether you yourselves were to be bound or free.

In the mean time, as I cannot depend upon health for any future day, such is the nature of my infirmities, I will beg to say a few words at present, leaving the justice, the equity, the policy, the expediency of the act, to another time. I will only speak to one point, a point which seems not to have been generally understood—I mean the right. Some gentlemen (alluding to Mr. Nugent) seem to have considered it as a point of honour. If gentlemen consider it in that light, they leave all measures of right and wrong, to follow a delusion that may lead to destruction. It is my opinion that this kingdom has no right to lay a tax upon the colonies, to be sovereign and supreme in every circumstance of

government and legislation whatsoever They are the subjects of this kingdom, equally entitled with yourselves to all the natural rights of mankind, and the peculiar privileges of Englishmen.

Equally bound by its laws, and equally participating of the constitution of this free country, the Americans are the sons, not the bastards of England Taxation is no part of the governing or legislative power. The taxes are a voluntary gift and grant of the commons alone. In legislation the three estates of the realm are alike concerned; but the concurrency of the peers and the crown to a tax, is only necessary to close with the form of a law.

The gift and grant is of the commons alone. In ancient days, the crown, the barons, and the clergy, possessed the lands. In those days, the barons and the clergy gave and granted to the crown. They gave and granted what was their own. At present, since the discovery of America, and other circumstances permitting, the commons are become the proprietors of the land, The crown has divested itself of its great estates. The church (God bless it) has but a pittance. The property of the lords, compared with that of the commons, is as a drop of water in the ocean; and this house represents these commons, the proprietors of the lands; and those proprietors virtually represent the rest of the inhabitants.

When, therefore, in this house we give and grant, we give and grant what is our own. But in an American tax, what do we do? We, your majesty's commons of Great Britain, give and grant to your majesty, what? our own property?—No, we give and grant to your majesty the property of the commons of America. It is an absurdity in terms.

The distinction between legislation and taxation is essentially necessary to liberty. The crown, the peers, are equally legislative powers with the commons. If taxation be a part of simple legislation, the crown, the peers,

have rights in taxation as well as yourselves; rights they will claim, which they will exercise, whenever the principle can be supported by power.

There is an idea in some, that the colonies are virtually represented in this house. I would fain know by whom an American is represented here? Is he represented by any knight of the shire, in any county in this kingdom? Would to God that respectable representation was augmented to a greater number. Or will you tell him that he is represented by any representative of a borough,—a borough which, perhaps, no man ever saw? That is what is called the rotten part of the constitution. It cannot continue a century. If it does not drop it must be amputated. The idea of a virtual representation of America in this house, is the most contemptible idea that ever entered into the head of man.—It does not deserve a serious consideration.

The commons of America, represented in their several assemblies, have ever been in possession of the exercise of this, their constitutional right, of giving and granting their own money. They would have been slaves if they had not enjoyed it. At the same time, this kingdom, as the supreme governing and legislative power, has always bound the colonies by her laws, by her regulations, and restrictions in trade, in navigation, in manufactures, in every thing, except that of taking their money out of their pockets without their consent. Here I would draw the line,

Quam ultra citraque nequit consistere rectum.

He concluded with a familiar voice and tone, but so low that it was not easy to distinguish what he said. A considerable pause ensued after Mr. Pitt had done speaking.

MR. GRENVILLE.

The following is a neat, clear, logical, and I think masterly speech on the subject. Nothing could be put in a more simple or forcible manner.

His Speech on the Taxation of America.

He began with censuring the ministry very severely, for delaying to give earlier notice to parliament of the disturbances in America. He said they began in July, and now we are in the middle of January; lately they were only occurances; they are now grown to disturbances, to tumults, and riots. I doubt they border on open rebellion; and if the doctrine I have heard this day be confirmed, I fear they will lose that name, to take that of a revolution. The government over them being dissolved, a revolution will take place in America. I cannot understand the difference between external and internal taxes. They are the same in effect, and differ only in name. That this kingdom has the sovereign, the supreme legislative power over America, is granted. It cannot be denied; and taxation is a part of that sovereign power. It is one branch of the legislation. It is, it has been exercised, over those who are not, who were never represented. It is exercised over the India Company, the merchants of London, and the proprietors of the stocks, and over great manufacturing towns. It was exercised over the county palatine of Chester, and the bishoprick of Durham, before they sent any representatives to parliament. I appeal for proof to the preambles of the acts which gave them representatives; one in the reign of Henry VIII. the other in that of Charles II. He then quoted the acts, and desired they might be read; which being done, he said: When I proposed to tax America, I asked the house, if any gentleman would object to the right; I repeatedly asked

it, and no man would attempt to deny it. Protection and obedience are reciprocal. Great Britain protects America, America is bound to yield obedience. If not, tell me when the Americans were emancipated? When they want the protection of this kingdom, they are always very ready to ask it. That protection has always been afforded them in the most full and ample manner. The nation has run itself into an immense debt to give them this protection; and now they are called upon to contribute a small share towards the public expence, an expence arising from themselves, they renounce your authority, insult your officers, and break out, I might almost say, in open rebellion.

The seditious spirit of the colonies owes its birth to factions in this house. Gentlemen are careless of the consequences of what they say, provided it answers the purposes of opposition.

We were told we trod on tender ground; we were bid to expect disobedience. What was this, but telling the Americans to stand out against the law, to encourage their obstinacy with expectation of support from hence? let us only hold out a little, they would say, our friends will soon be in power. Ungrateful people of America! bounties have been extended to them. When I had the honour of serving the crown, while you yourselves were loaded with an enormous debt, you have given bounties on their lumber, on their iron, their hemp, and many other articles. You have relaxed, in their favour, the act of navigation, that palladium of British commerce; and yet I have been abused in all the public papers as an enemy to the trade of America. I have been particularly charged with giving orders and instructions to prevent the Spanish trade, and thereby stopping the channel by which alone North America used to be supplied with cash for remittances for this country. I defy any man to produce any such orders or instructions. I discouraged no trade but what was illicit, what was prohibited by act of parliament. I desire a West India

merchant, well known in this city, (Mr. Long,) a gentleman of character, may be admitted. He will tell you, that I offered to do every thing in my power to advance the trade of America. I was above giving an answer to anonymous calumnies; but in this place, it becomes me to wipe off the aspersion.

MR. PITT.

His Speech in Reply.

Mr. Pitt said, I do not apprehend I am speaking twice; I did expressly reserve a part of my subject, in order to save the time of this house; but I am compelled to proceed in it. I do not speak twice; I only mean to finish what I designedly left imperfect. But if the house is of a different opinion, far be it from me to indulge a wish of transgression against order. Here he paused, the house resounding with, go on, go on—he proceeded:

Gentlemen, sir, (to the speaker) have been charged with giving birth to the sedition in America. They have spoken their sentiments with freedom against this unhappy act, and that freedom has become their crime. Sorry I am to hear the liberty of speech in this house, imputed as a crime. But the imputation shall not discourage me. It is a liberty I mean to exercise.

No gentleman ought to be afraid to exercise it—it is a liberty by which the gentleman who calumniates it might have profited, by which he ought to have profited. He ought to have desisted from his project. The gentleman tell us America is obstinate; America is almost in open rebellion. I rejoice that America has resisted. Three millions of people, so dead to all feelings of liberty as voluntarily to submit to be slaves, would have been fit

instruments to make slaves of the rest. I come not here armed at all points, with law cases and acts of parliament, with the statute book doubled down in dogs'-ears, to defend the cause of liberty: if I had, I myself would have cited the two cases of Chester and Durham: I would have cited them, to have shewn that even under the most arbitrary reigns, parliaments were ashamed of taxing people without their consent, and allowed them representatives. Why did the gentleman confine himself to Chester and Durham? He might have taken a higher example in Wales; Wales, that never was taxed by parliament till it was incorporated. I would not debate a particular point of law with the gentleman: I know his abilities: I have been obliged by his diligent researches. But for the defence of liberty upon a general principle, upon a constitutional principle, it is a ground upon which I stand firm; on which I dare meet any man. The gentleman tells us of many who are taxed, and are not represented. The India Company, merchants, stock-holders, manufacturers. Surely many of these are represented in other capacities, as owners of land, or as freemen of boroughs. It is a misfortune that more are not actually represented. But they are all inhabitants, and, as such, are virtually represented. Many have it in their option to be actually represented. They have connections with those that elect, and they have influence over them. The gentleman mentioned the stock-holders. I hope he does not reckon the debts of the nation a part of the national estate. Since the accession of king William, many ministers, some of great, others of more moderate abilities, have taken the lead of government. He then went through the list of them, bringing it down till he came to himself, giving a short sketch of the characters of each of them. None of these, he said, thought or ever dreamed of robbing the colonies of their constitutional rights. That was reserved to mark the era of the late administration: not that there were wanting some, when I had the honour

to serve his majesty, to propose to me to burn my fingers with an American stamp act. With the enemy at their back, with our bayonets at their breasts, in the day of their distress, perhaps the Americans would have submitted to the imposition; but it would have been taking an ungenerous, an unjust advantage. The gentleman boasts of his bounties to America! Are not these bounties intended finally for the benefit of this kingdom? If they are not, he has misapplied the national treasures. I am no courtier of America, I stand up for this kingdom. I maintain that the parliament has a right to bind, to restrain America.

Our legislative power over the colonies is supreme. When it ceases to be sovereign and supreme, I would advise every gentleman to sell his lands, if he can, and embark for that country. Where two countries are connected together like England and her colonies, without being incorporated, the one must necessarily govern; the greater must rule the less; but so rule it, as not to contradict the fundamental principles that are common to both. If the gentleman does not understand the difference between external and internal taxes, I cannot help it; but there is a plain distinction between taxes levied for the purposes of raising a revenue, and duties imposed for the regulation of trade, for the accommodation of the subject; although, in the consequences, some revenue might incidentally arise from the latter. The Gentleman asks, when were the colonies emancipated? But I desire to know, when were they made slaves? But I dwell not upon words. When I had the honour of serving his majesty, I availed myself of the means of information which I derived from my office. I speak therefore from knowledge. My materials were good. I was at pains to collect, to digest, to consider them; and I will be bold to affirm, that the profits to Great Britain from the trade of the colonies, through all its branches, is two millions a year. This is the fund that carried you triumphantly through the last

war. The estates that were rented at two thousand pounds a year, three score years ago, are at three thousand at present. Those estates sold then from fifteen to eighteen years purchase; the same may be now sold for thirty.

You owe this to America. This is the price that America pays you for her protection. And shall a miserable financier come with a boast, that he can fetch a pepper-corn into the exchequer, to the loss of a million to the nation! I dare not say, how much higher these profits may be augmented. Omitting the immense increase of people, by natural population, in the nothern colonies, and the migration from every part of Europe, I am convinced the whole commercial system of America may be altered to advantage. You have prohibited where you ought to have encouraged; you have encouraged where you ought to have prohibited. Improper restraints have been laid on the continent, in favour of the islands. You have but two nations to trade with in America. Would you had twenty! Let acts of parliament in consequence of treaties remain, but let not an English minister become a custom-house officer for Spain, or for any foreign power. Much is wrong, much may be amended for the general good of the whole.

Does the gentleman complain he has been misrepresented in the public prints? It is a common misfortune. In the Spanish affair of the last war, I was abused in all the newspapers, for having advised his majesty to violate the laws of nations with regard to Spain. The abuse was industriously circulated even in handbills. If administration did not propagate the abuse, administration never contradicted it. I will not say what advice I did give to the king. My advice is in writing, signed by myself, in the possession of the crown. But I will say what advice I did not give to the king: I did not advise him to violate any of the laws of nations.

As to the report of the gentleman's preventing in some way the trade for bullion with the Spaniards, it was spoken of so confidently that I own I am one of those

who did believe it to be true. The gentleman must not wonder he was not contradicted, when, as the minister, he asserted the right of parliament to tax America. I know not how it is, but there is a modesty in this house which does not choose to contradict a minister. Even your chair, sir, looks too often towards St. James's. I wish gentlemen would get the better of this modesty: if they do not, perhaps the collective body may begin to abate of its respect for the representative. Lord Bacon has told me, that a great question would not fail of being agitated at one time or another. I was willing to agitate that at the proper season, the German war:—my German war they called it. Every sessions I called out, Has any body any objection to the German war? Nobody would object to it, one gentleman only excepted, since removed to the upper house by succession to an ancient barony, (meaning lord Le Despencer, formerly Sir Francis Dashwood.) He told me, "He did not like a Germdn war." I honoured the man for it, and was sorry when he was turned out of his post. A great deal has been said without doors of the power, of the strength of America. It is a topic that ought to be cautiously meddled with. In a good cause, on a sound bottom, the force of this country can crush America to atoms. I know the valour of your troops. I know the skill of your officers. There is not a company of foot that has served in America out of which you may not pick a man of sufficient knowledge and experience to make a governor of a colony there. But on this ground, on the stamp act, which so many here will think a crying injustice, I am one who will lift up my hands against it.

In such a cause, your success would be hazardous. America, if she fell, would fall like the strong man; she would embrace the pillars of the state, and pull down the constitution along with her. Is this your boasted peace—not to sheathe the sword in its scabbard, but to sheathe it in the bowels of your countrymen? Will you quarrel with yourselves, now the whole house of Bourbon is united against you, while France disturbs

your fisheries in Newfoundland, embarrasses your slave trade to Africa, and withholds from your subjects in Canada their property stipulated by treaty; while the ransom for the Manillas is denied by Spain, and its gallant conqueror basely traduced into a mean plunderer; a gentleman (colonel Draper) whose noble and generous spirit would do honour to the proudest grandee of the country? The Americans have not acted in all things with prudence and temper; they have been wronged; they have been driven to madness, by injustice. Will you punish them for the madness you have occasioned? Rather let prudence and temper come first from this side. I will undertake for America that she will follow the example. There are two lines in a ballad of Prior's, of a man's behaviour to his wife, so applicable to you and your colonies, that I cannot help repeating them:

> "Be to her faults a little blind;
> Be to her virtues very kind."

Upon the whole, I will beg leave to tell the house what is really my opinion. It is, that the stamp act be repealed absolutely, totally, and immediately. That the reason for the repeal be assigned because it was founded on an erroneous principle. At the same time, let the sovereign authority of this country over the colonies be asserted in as strong terms as can be devised, and be made to extend to every point of legislation whatsoever; that we may bind their trade, confine their manufactures, and exercise every power whatsoever, except that of taking their money out of their pockets without their consent.

WILLIAM MURRAY,

(EARL OF MANSFIELD,)

Was the fourth son of the earl of Stormont, and born at Perth in 1705. He was educated at Westminster school, and afterwards at Oxford, where he took his degrees. On being called to the bar, his eloquence gained him many admirers; and he was called by Pope "the silver-tongued Murray." In 1742, he became solicitor-general, and was elected member of parliament. In 1754, he was made attorney-general, and in 1756, chief justice of the king's bench, soon after which he was created baron Mansfield. He resigned his office in 1788, owing to his infirmities, and died in 1793. The reputation which he acquired, both as a lawyer and a speaker, was not unmerited. I believe his character has been in all respects as justly appreciated as that of most men. He was undoubtedly a man of great abilities and great acquirements; but he was neither a very great nor a very honest man. He was a man of nice perceptions, of an acute and logical understanding, of a clear and comprehensive mind, as far as the habits of his profession and his pursuits in life would suffer him to be so. Indeed it is difficult to say, what are the capacities of a man of this character, whose views are cramped and confined by the servility of office; who adjusts the dimensions of his understanding according to the size of the occasion; whose reason is constantly the puppet of his will; whose powers expand in the gleam of popularity, or shrink and shrivel up at the touch of power. There was a natural antipathy between his mind and lord Chatham's. The one was ardent and impetuous: the other was cool, circumspect, wary, delighting in difficulties and subtlety, proud rather of distrusting its natural feelings and detecting errors in them, than impatient of any thing that thwarted their course, and exerting all its powers to prove them to be right. The manner in which lord Chatham always spoke of Mansfield was the most pointed that could be: Junius did not treat him with more sarcastic bitterness and contempt. Indeed there is a striking coincidence between the opinions and sentiments of that celebrated writer, and those of lord Chatham, in many respects. They had the same political creed and the same personal prejudices. Chatham had not only the same marked dislike to lord Mansfield, but he had evidently the same personal dislike to the king, always directing his censures not so

much against his measures, as the man; always tracing them beyond his ministers to the throne itself, and connecting them with a deliberate plan to overturn the balance of the constitution, and undermine the liberties of the people. He has expressed the same unpopular opinion respecting the impressing of seamen that Junius has done; which is rather singular in two men professing so strong an attachment to the liberty of the subject, and who so generally appealed to popular feelings. It is to be remembered, also, that Junius speaks of certain mysterious arrangements, and expresses himself concerning certain characters, in a tone of confidence and with a degree of asperity which could hardly be expected in any one who was not personally acquainted with the secrets of the cabinet. As to the differences of stile between Junius's letters and lord Chatham's speeches, though they are very great, I do not think they are so great but that they may be accounted for from the mere difference between writing and speaking. The materials themselves are not essentially different: the difference is in the manner of working them up. There is none of that pointed neatness, that brilliant contrast, that artificial modulation, and elaborate complexity in the style of lord Chatham's speeches that there is in Junius; and there is a flow, a rapidity, a vehemence and ardour in them, that is totally wanting in Junius. At the same time, I can easily conceive that a man like lord Chatham, who had gained the highest reputation as an orator, and was satisfied with the proofs he had given of the force and solidity of his mind, should take a pride in exciting the admiration of the public by the neatness and elegance of his compositions, by adding delicacy to strength, by the minute refinements and graceful ornaments of style: as your bold, dashing designers have generally (to shew the versatility of their talents) executed their small cabinet pieces in a style of the most highly finished correctness. On the other hand, it is not at all likely that lord Chatham, even supposing him to have been master of all the subtlety and exactness of Junius, would have spoken in any other manner than he did. It would have been nearly impossible to speak as Junius writes; and besides, he was a man of too much sense to forego the advantages which his person, voice, and manner afforded him in that impressive, simple, manly style which he adopted, and which they could not have afforded him equally in any other, for the reputation of an elegant speaker. As to the character which Junius gives of lord Chatham, it is just such a character as a man would give of himself. Both his silence and his praise are suspicious. Though I do not, on the whole, think it probable that Lord Chatham was the author of Junius, yet I think that he was by far the most likely person that has been named. He was about equal to the task. He had the same pith and nerve, the same acuteness and vigour; he worked in the same

metal as Junius, with a little less sharpness and fineness in the execution, and more boldness in the design. Burke was above it, Dunning was below it. It was physically impossible that Burke should have been the author. He could no more have written Junius, from the exuberance and originality of his mind, than Dunning could have written it, from the poverty of his. The speeches of the latter are "as dry as the remainder biscuit after a voyage." No human art could have moulded his stiff set meagre sentences, with all the technical formality and servile exactness of a legal document, into the harmonious combinations and graceful inflections of Junius's style. It is most likely that it will never be known who Junius really was, and I do not wish it ever should; it is a sort of singular phenomenon, and curious riddle in the history of literature. It is better that it should remain a secret, and be something to wonder at, than that by it's being explained, every one should become perfectly satisfied and perfectly indifferent about it.

On a motion of Lord Chatham's to address the King on the State of the Nation.

Lord Mansfield began with affirming, that he had never delivered any opinion upon the legality of the proceedings of the house of commons on the Middlesex election, nor should he now, notwithstanding any thing that might be expected from him. That he had locked it up in his own breast, and it should die with him: that he wished to avoid speaking on the subject; but that the motion made by the noble lord (Chatham,) was of a nature too extraordinary, and too alarming, to suffer him to be silent. He acknowledged the unhappy distracted state of the nation; but he was happy enough to affirm, with a safe conscience, that he had no ways contributed to it. That in his own opinion, declarations of the law made by either house of parliament, were always attended with bad effects; he constantly opposed them whenever he had an opportunity, and in his judicial capacity, thought himself bound never to pay the least regard to them. That although thoroughly convinced of the illegality of general warrants (which indeed, naming no persons, were no warrants at

all,) he was sorry to see the house of commons by their vote declare them to be illegal: that it looked like a legislative act, which yet had no force nor effect as a law; for supposing the house had declared them to be legal, the courts in Westminster would nevertheless have been bound to declare the contrary; and consequently to throw a disrespect upon the vote of the house. But he made a wide distinction between the general declarations of law, and the particular decision which might be made by either house, in their judicial capacity, upon a case coming regularly before them, and properly the subject of their jurisdiction. That here they did not act as legislators, pronouncing abstractedly and generally what the law was, and for the direction of others, but as judges drawing the law from the several sources from which it ought to be drawn, for their own guidance in deciding the particular question before them, and applying it strictly to the decision of that question. That for his own part, wherever the statute law was silent, he knew not where to look for the law of parliaments, or for a definition of the privileges of either house, except in the proceedings and decisions of each house respectively. That he knew of no parliamentary code to judge of questions depending upon the judicial authority of parliament, but the practices of each house, moderated or extended according to the wisdom of the house, and accommodated to the cases before them. That a question touching the seat of a member in the lower house, could only be determined by that house; there was no other court where it could be tried, nor to which there could be an appeal from their decision. That wherever a court of justice is supreme, and their sentence final (which he apprehended no man would dispute was the case of the house of commons in matters touching elections) the determination of that court must be received and submitted to as the law of the land; for if there be no appeal from a judicial sentence, where shall that sentence be questioned, or how can it be reversed? He admitted that judges might be corrupt, and

their sentences erroneous; but these were cases for which, in respect to supreme courts, the constitution had provided no remedy. That if they wilfully determined wrong, it was iniquitous indeed, and in the highest degree detestible But it was a crime, of which no human tribunal could take cognizance, and it lay between God and their consciences. That he avoided entering into the merits of the late decision of the house of commons, because it was a subject he was convinced the lords had no right to enquire into or discuss. That the amendment proposed by the noble lord, threatened the most pernicious consequences to the nation, as it manifestly violated every form and law of parliament, was a gross attack upon the privileges of the house of commons, and instead of promoting that harmony which the king had recommended, must inevitably throw the whole country into a flame. That there never was an instance of the lords enquiring into the proceedings of the house of commons with respect to their own members; much less of their taking upon them to censure such proceedings, or of their advising the crown to take notice of them. If, indeed, it be the noble lord's design to quarrel with the house of commons, I confess it will have that effect, and immediately the lower house will undoubtedly assert their privileges, and give you vote for vote. I leave it, therefore, to your lordships, to consider the fatal effects which may arise in such a conjuncture as the present, either from an open breach between the two houses of parliament, or between the king and the house of commons. But, my lords, if I could suppose it were even advisable to promote a disagreement between the two houses, I would still recommend it to you to take care to be in the right. Whenever I am forced into a quarrel, I will always endeavour to have justice on my side. Now, my lords, admitting the house of commons to have done wrong; will it mend the matter for your lordships to do ten times worse? and that I am clearly convinced would be the case, if your lordships were obliged to de-

clare any opinion of your own, or offer any advice to the crown; a matter in which, by the constitution of this country, you have no right whatever to interfere. I I will go further, my lords; I will affirm, that such a step would be as ineffectual as it would be irregular. Suppose the king, in consequence of our advice, should dissolve the parliament (for that, I presume, is the true object of the noble lord's amendment,) the next house of commons that meets, if they know any thing of their own privileges, or the laws of this country, will, undoubtedly, on the very first day of the session, take notice of our proceedings, and declare them to be a violation of the rights of the commons. They must do so, my lords, or they will shamefully betray their constituents and themselves. A noble lord (lord Marchmont) near me, has proposed, that we should demand a conference with the other house. It would be a more moderate step, I confess, but equally ineffectual. The commons would never submit to discuss their own privileges with the lords. They would not come to a conference upon such a subject; or if they did, they would soon break it up with indignation. If, then, the commons have done wrong, I know of no remedy, but either that the same power should undo the mischief they have done, or that the case should be provided for by an act of the legislature. That, indeed, might be effectual. But whether such a remedy be proper or necessary in the present case, or whether, indeed, it be attainable, considering that the other house must give their consent to it, is not a question now before us. If such a bill should be proposed, it will be regular and parliamentary, and we may then, with propriety, enter into the legal merits of the decision of the house of commons. As for the amendment proposed by the noble lord, I object to it as irregular and unparliamentary. I am persuaded, that it will be attended with very pernicious consequences to this country, and that it cannot possibly produce a single good one.

EARL OF CHATHAM.

My Lords,

THERE is one plain maxim, to which I have invariably adhered through life; that in every question, in which my liberty or my property were concerned, I should consult and be determined by the dictates of common sense. I confess, my lords, that I am apt to distrust the refinements of learning, because I have seen the ablest and the most learned men equally liable to deceive themselves and to mislead others. The condition of human nature would be lamentable indeed, if nothing less than the greatest learning and talents, which fall to the share of so small a number of men, were sufficient to direct our judgment and our conduct. But providence has taken better care of our happiness, and given us, in the simplicity of common sense, a rule for our direction, by which we never shall be misled. I confess, my lords, I had no other guide in drawing up the amendment which I submitted to your consideration: and before I heard the opinion of the noble lord who spoke last, I did not conceive, that it was even within the limits of possibility for the greatest human genius, the most subtle understanding, or the acutest wit, so strangely to misrepresent my meaning, and give it an interpretation so entirely foreign from what I intended to express, and from that sense which the very terms of the amendment plainly and distinctly carry with them. If there be the smallest foundation for the censure thrown upon me by that noble lord; if, either expressly or by the most distant implication, I have said or insinuated any part of what the noble lord has charged me with, discard the opinions for ever, discard the motion with contempt.

My lords, I must beg the indulgence of the house. Neither will my health permit me, nor do I pretend to be qualified to follow that learned lord minutely through the whole of his argument. No man is better acquainted with his abilities or his learning, nor has a greater respect for them, than I have. I have had the pleasure of sitting with him in the other house, and always listened to him with attention. I have not now lost a word of what he said, nor did I ever. Upon the present question, I meet him without fear. The evidence which truth carries with it, is superior to all argument; it neither wants the support, nor dreads the opposition of the greatest abilities. If there be a single word in the amendment to justify the interpretation which the noble lord has been pleased to give it, I am ready to renounce the whole: let it be read, my lords: let it speak for itself. (It was read.)—In what instance does it interfere with the privileges of the house of commons? In what respect does it question their jurisdiction, or suppose an authority in this house to arraign the justice of their sentence? I am sure that every lord who hears me, will bear me witness that I said not one word touching the merits of the Middlesex election: far from conveying any opinion upon that matter in the amendment, I did not even in discourse deliver my own sentiments upon it. I did not say that the house of commons had done either right or wrong: but, when his majesty was pleased to recommend it to us to cultivate unanimity among ourselves, I thought it the duty of this house, as the great hereditary council of the crown, to state to his majesty the distracted condition of his dominions, together with the events which had destroyed unanimity among his subjects. But, my lords, I stated those events merely as facts, without the smallest addition either of censure or of opinion. They are facts, my lords, which I am not only convinced are true, but which I know are indisputably true. For example, my lords; will any man deny that discontents prevail in many parts of his majesty's do-

minions? or that those discontents arise from the proceedings of the house of commons, touching the declared incapacity of Mr. Wilkes? It is impossible: no man can deny a truth so notorious, nor will any man deny that those proceedings refused, by a resolution of one branch of the legislature only, to the subject, his common right. Is it not indisputably true, my lords, that Mr. Wilkes had a common right, and that he lost it no other way but by a resolution of the house of commons? My lords, I have been tender of misrepresenting the house of commons; I have consulted their journals, and have taken the very words of their own resolution. Do they not tell us, in so many words, that Mr. Wilkes having been expelled, was thereby rendered incapable of serving in that parliament? And is it not their resolution alone, which refuses to the subject his common right? The amendment says farther, that the electors of Middlesex are deprived of their free choice of a representative. Is this a false fact, my lords? or have I given an unfair representation of it? Will any man presume to affirm that colonel Luttrell is the free choice of the electors of Middlesex? We all know the contrary. We all know that Mr. Wilkes (whom I mention without either praise or censure) was the favourite of the country, and chosen, by a very great and acknowledged majority, to represent them in parliament. If the noble lord dislikes the manner in which these facts are stated, I shall think myself happy in being advised by him how to alter it. I am very little anxious about terms, provided the substances be preserved; and these are facts, my lords, which I am sure will always retain their weight and importance, in whatever form of language they are described.

Now, my lords, since I have been forced to enter into the explanation of an amendment, in which nothing less than the genius of penetration could have discovered an obscurity; and having, as I hope, redeemed myself in the opinion of the house; having redeemed my

motion from the severe representation given of it by the noble lord, I must a little longer intreat your lordships' indulgence. The constitution of this country has been openly invaded in fact; and I have heard with horror and astonishment, that very invasion defended upon principle. What is this mysterious power, undefined by law, unknown to the subject, which we must not approach without awe, nor speak of without reverence; which no man may question, and to which all men must submit? My lords, I thought the slavish doctrine of passive obedience had long since been exploded: and, when our kings were obliged to confess that their title to the crown, and the rule of their government, had no other foundation than the known laws of the land, I never expected to hear a divine right, or a divine infallibility, attributed to any other branch of the legislature. My lords, I beg to be understood: no man respects the house of commons more than I do, or would contend more strenuously than I would to preserve them their just and legal authority. Within the bounds prescribed by the constitution, that authority is necessary to the well being of the people; beyond that line every exertion of power is arbitrary, is illegal; it threatens tyranny to the people, and destruction to the state. Power, without right, is the most odious and detestable object that can be offered to the human imagination; it is not only pernicious to those who are subject to it, but tends to its own destruction. It is what my noble friend (lord Lyttleton) has truly described it, *res detestabilis et caduca*. My lords, I acknowledge the just power, and reverence the constitution of the house of commons. It is for their own sakes that I would prevent their assuming a power which the constitution has denied them, lest, by grasping at an authority they have no right to, they should forfeit that which they legally possess. My lords, I affirm that they have betrayed their constituents, and violated the constitution. Under pretence of declaring the law, they have made a law, and united in the same persons the office of legisla-

tor and of judge. I shall endeavour to adhere strictly to the noble lord's doctrine, which it is indeed impossible to mistake, as far as my memory will permit me to preserve his expression. He seems fond of the word jurisdiction; and I confess, with the force and effect which he has given it, it is a word of copious meaning and wonderful extent. If his lordship's doctrine be well founded, we must renounce all those political maxims by which our understandings have hitherto been directed; and even the first elements of learning taught us when we were school-boys. My lords, we know that jurisdiction was nothing more than *Jus dicere;* we know that *Legem facere* and *Legem dicere* were powers clearly distinguished from each other in the nature of things, and wisely separated by the wisdom of the English constitution: but now, it seems, we must adopt a new system of thinking. The house of commons, we are told, have a supreme jurisdiction; that there is no appeal from their sentence; and that whenever they are competent judges, their decision must be received and submitted to, as, *ipso facto*, the law of the land. My lords, I am a plain man, and have been brought up in a religious reverence for the original simplicity of the laws of England. By what sophistry they have been perverted, by what artifices they have been involved in obscurity, is not for me to explain; the principles, however, of the English laws are still sufficiently clear; they are founded in reason, and are the master-piece of the human understanding; but it is in the text that I would look for a direction to my judgment, not in the commentaries of modern professors. The noble lord assures us, that he knows not in what code the law of parliament is to be found: that the house of commons, when they act as judges, have no law to direct them but their own wisdom; that their decision is law; and if they determine wrong, the subject has no appeal but to heaven. What then, my lords, are all the generous efforts of our ancestors, are all those glorious contentions, by which they

meant to secure to themselves, and to transmit to their posterity; a known law, a certain rule of living, reduced to this conclusion, that instead of the arbitrary power of a king, we must submit to the arbitrary power of a house of commons? If this be true, what benefit do we derive from the exchange? Tyranny, my lords, is detestable in every shape; but in none so formidable as where it is assumed and exercised by a number of tyrants. But, my lords, this is not the fact; this is not the constitution: we have a law of parliament, we have a code in which every honest man may find it. We have *magna charta*, we have the statute book, and the bill of rights.

If a case should arise unknown to these great authorities, we have still that plain English reason left, which is the foundation of all our English jurisprudence. That reason tells us, that every judicial court, every political society, must be vested with those powers and privileges which are necessary for performing the office to which they are appointed. It tells us also, that no court of justice can have a power inconsistent with, or paramount to the known laws of the land; that the people, when they choose their representatives, never mean to convey to them a power of invading their rights, or trampling upon the liberties of those whom they represent. What security would they have for their rights, if once they admitted, that a court of judicature might determine every question that came before it, not by any known positive law, but by the vague, indeterminate, arbitrary rule, of what the noble lord is pleased to call 'the wisdom of the court?' With respect to the decision of the courts of justice, I am far from denying them their due weight and authority; yet, placing them in the most respectable view, I still consider them, not as law, but as an evidence of the law; and before they can arrive even at that degree of authority, it must appear, that they are founded in, and confirmed by reason; that they are supported by precedents taken from good and moderate times; that they do not contradict any positive law; that

they are submitted to without reluctance by the people; that they are unquestioned by the legislature (which is equivalent to a tacit confirmation); and, which in my judgment is by far the most important, that they do not violate the spirit of the constitution. My lords, this is not a vague or loose expression; we all know what the constitution is; we all know, that the first principle of it is, that the subject shall not be governed by the *arbitrium* of any one man or body of men (less than the whole legislature), but by certain laws, to which he has virtually given his consent, which are open to him to examine, and not beyond his ability to understand. Now, my lords, I affirm, and am ready to maintain, that the late decision of the house of commons upon the Middlesex election, is destitute of every one of those properties and conditions which I hold to be essential to the legality of such a decision. It is not founded in reason; for it carries with it a contradiction, that the representative should perform the office of the constituent body. It is not supported by a single precedent; for the case of sir R. Walpole is but a half precedent, and even that half is imperfect. Incapacity was indeed declared; but his crimes are stated as the ground of the resolution, and his opponent was declared not to be duly elected, even after his incapacity was established. It contradicts *magna charta*, and the bill of rights, by which it is provided, that no subject shall be deprived of his freehold, unless by the judgment of his peers, or the law of the land; and that elections of members to serve in parliament shall be free; and so far is this decision from being submitted to by the people, that they have taken the strongest measures, and adopted the most positive language, to express their discontent.—Whether it will be questioned by the legislature, will depend upon your lordships' resolution; but that it violates the spirit of the constitution, will, I think, be disputed by no man who has heard this day's debate, and who wishes well to the freedom of his country; yet, if we are to believe the

noble lord, this great grievance, this manifest violation of the first principles of the constitution, will not admit of a remedy; is not even capable of redress, unless we appeal at once to heaven. My lords, I have better hopes of the constitution, and a firmer confidence in the wisdom and constitutional authority of this house. It is to your ancestors, my lords, it is to the English barons, that we are indebted for the laws and constitution we possess. Their virtues were rude and uncultivated, but they were great and sincere. Their understandings were as little polished as their manners, but they had hearts to distinguish right from wrong; they had heads to distinguish truth from falsehood; they understood the rights of humanity, and they had spirit to maintain them.

My lords, I think that history has not done justice to their conduct, when they obtained from their sovereign that great acknowledgment of national rights contained in *magna charta:* they did not confine it to themselves alone, but delivered it as a common blessing to the whole people. They did not say, these are the rights of the great barons, or, these are the rights of the great prelates: no, my lords, they said, in the simple Latin of the times, *nullus liber homo*, and provided as carefully for the meanest subject as for the greatest. These are uncouth words, and sound but poorly in the ears of scholars; but they are dear to the hearts of free men. These three words, *nullus liber homo*, have a meaning which interests us all: they deserve to be remembered—they deserve to be inculcated in our minds—they are worth all the classics.—Let us not, then, degenerate from the glorious example of our ancestors. Those iron barons (for so I may call them, when compared with the silken barons of modern days) were the guardians of the people; yet their virtues, my lords, were never engaged in a question of such importance as the present. A breach has been made in the constitution—the battlements are dismantled—the citadel is open to the first invader—the walls totter—the constitution is not tenable. What

remains, then, but for us to stand foremost in the breach, to repair it, or perish in it.

Great pains have been taken to alarm us with the dreadful consequences of a difference between the two houses of parliament: that the house of commons will resent our presuming to take notice of their proceedings: that they will resent our daring to advise the crown, and never forgive us for attempting to save the state. My lords, I am sensible of the importance and difficulty of this great crisis: at a moment such as this, we are called upon to do our duty, without dreading the resentment of any man. But if apprehensions of this kind are to affect us, let us consider which we ought to respect most—the representative, or the collective body of the people. My lords, five hundred gentlemen are not ten millions; and if we must have a contention, let us take care to have the English nation on our side. If this question be given up, the freeholders of England are reduced to a condition baser than the peasantry of Poland. If they desert their own cause, they deserve to be slaves! My lords, this is not merely the cold opinion of my understanding, but the glowing expression of what I feel. It is my heart that speaks. I know I speak warmly, my lords, but this warmth shall neither betray my argument nor my temper. The kingdom is in a flame; as mediators between the king and people, it is our duty to represent to him the true condition and temper of his subjects. It is a duty which no particular respects should hinder us from performing; and whenever his majesty shall demand our advice, it will then be our duty to enquire more minutely into the causes of the present discontents. Whenever that enquiry shall come on, I pledge myself to the house to prove, that since the first institution of the house of commons, not a single precedent can be produced to justify their late proceedings. My noble and learned friend, (the lord Chancellor) has also pledged himself to the house, that he will support that assertion.

My lords, the character and circumstances of Mr. Wilkes have been very improperly introduced into this question, not only here, but in that court of judicature where his cause was tried :—I mean the house of commons. With one party he was a patriot of the first magnitude: with the other, the vilest incendiary. For my own part, I consider him merely and indifferently as an English subject, possessed of certain rights which the laws have given him, and which the laws alone can take from him. I am neither moved by his private vices, nor by his public merits. In his person, though he were the worst of men, I contend for the safety and security of the best; and God forbid, my lords, that there should be a power in this country of measuring the civil rights of the subject by his moral character, or by any other rule but the fixed laws of the land. I believe, my lords, I shall not be suspected of any personal partiality to this unhappy man: I am not very conversant in pamphlets or newspapers; but from what I have heard, and from the little I have read, I may venture to affirm, that I have had my share in the compliments which have come from that quarter: and as for motives of ambition (for I must take to myself a part of the noble duke's insinuation,) I believe, my lords, there have been times in which I have had the honour of standing in such favour in the closet, that there must have been something extravagantly unreasonable in my wishes, if they might not all have been gratified. After neglecting those opportunities, I am now suspected of coming forward in the decline of life, in the anxious pursuit of wealth and power, which it is impossible for me to enjoy. Be it so: there is one ambition, at least, which I ever will acknowledge, which I will not renounce but with my life. It is the ambition of delivering to my posterity those rights of freedom which I have received from my ancestors. I am not now pleading the cause of an individual, but of every freeholder in England. In what manner this house may constitutionally interpose in their defence, and what kind of redress

this case will require and admit of, is not at present the subject of our consideration. The amendment, if agreed to, will naturally lead us to such an enquiry. That enquiry may, perhaps, point out the necessity of an act of the legislature, or it may lead us, perhaps, to desire a conference with the other house; which one noble lord affirms, is the only parliamentary way of proceeding; and which another noble lord assures us the house of commons would either not come to, or would break off with indignation. Leaving their lordships to reconcile that matter between themselves, I shall only say, that before we have enquired, we cannot be provided with materials; consequently, at present we are not prepared for a conference.

It is possible, my lords, that the enquiry I speak of may lead us to advise his majesty to dissolve the present parliament; nor have I any doubt of our right to give that advice, if we should think it necessary. His majesty will then determine whether he will yield to the united petitions of the people of England, or maintain the house of commons in the exercise of a legislative power, which heretofore abolished the house of lords, and overturned the monarchy. I willingly acquit the present house of commons of having actually formed so detestable a design: but they cannot themselves foresee to what excesses they may be carried hereafter: and for my own part, I should be sorry to trust to their future moderation. Unlimited power is apt to corrupt the minds of those who possess it; and this I know, my lords, that where law ends, tyranny begins!

MARQUIS OF ROCKINGHAM.

On the State of the Nation.

THE object of his speech was to shew, that the present unhappy condition of affairs, and the universal discontent of the people, did not arise from any immediate temporary cause, but had grown upon us by degrees, from the moment of his majesty's accession to the throne. That the persons in whom his majesty then confided had introduced a total change in the old system of English government—that they had adopted a maxim which must prove fatal to the liberties of this country, viz. "That the royal prerogative alone was sufficient to support government, to whatever hands the administration should be committed;" and he could trace the operation of this principle through every act of government since the accession, in which those persons could be supposed to have any influence. Their first exertion of the prerogative was to make a peace contrary to the wishes of the nation, and on terms totally disproportioned to the successes of the war: but as they felt themselves unequal to the conduct of war, they thought a peace, on any conditions, necessary for their own security and continuance in administration. He then took notice of those odious tyrannical acts of power by which an approbation of the peace had been obtained. And he mentioned the general sweep through every branch and department of administration; the removals not merely confined to the higher employments, but carried down, with the minutest cruelty, to the lowest offices of the state; and numberless innocent families, which had subsisted on salaries of from fifty to two hundred pounds a year, turned out to misery and ruin, with as little regard to the rules of justice as to the common feelings of compassion. That their ideas of taxation were marked by the same principle. The argument urged for taxing the

cider counties, viz. "The equity of placing them on the same footing with others where malt liquors were chiefly used," was too obvious to escape the attention of former ministers; but former ministers paid more regard to the liberties of the people than to the improvement of the revenue. That the object of the cider act, or the effect of it, at least, was not so much to increase the revenue, as to extend the laws of excise, and open the doors of private men to the officers of the crown.

Without entering into the right of taxing America, it was evident, that since the revenue expected to arise from that measure was allowed to be very inconsiderable, the real purpose of government must have been to increase the number of their officers in that country, and consequently the strength of the prerogative.

He then took notice of the indecent manner with which the debt upon the king's civil list had been laid before, and provided for by parliament. No account offered—no inquiry permitted to be made—not even the decent satisfaction given to parliament, of an assurance, that in future such extraordinary expences should be avoided. On the contrary, the king's speech on that occasion had been so cautiously worded, that, far from engaging to avoid such exceedings for the future, it intimated plainly, that the expences of the king's civil government could not be confined within the revenue granted by parliament. That, as the nation was heavily burthened by the expence, they were no less grossly insulted by the manner in which that burthen was laid upon them. That, in certain grants lately made by the crown, the ministry had adhered to their principle of carrying the prerogative to its utmost extent. No right of property, no continuance of possession, had been considered.* But if these had been weaker than they were, he thought some respect was due to the memory of the great prince by

* Alluding to the transfer of an estate belonging to the duke of Portland to some other person, on the plea that the grant by which he held it was void.

whom those grants had been made; and in common justice to the noble duke (Poland) whose property had been invaded, the ministry should, at last, have avoided that hurry and precipitation, which had hardly left his grace time to defend his rights; and by which the ministry themselves seemed to confess their measures would not bear a more deliberate mode of proceeding. But the purposes of an election were to be served; and the person benefited by this measure was supposed to be a better friend to administration than the noble duke, whose property had been arbitrarily transferred to another. And when, upon occasion of this extraordinary measure, and to quiet the minds of the people, a bill had been brought into parliament, for securing the property of the subject, it had been rejected the first year, and violently resisted the second: but the justice and necessity of it had prevailed over the influence and favourite maxims of the administration.

That the affairs of the external part of the empire had been managed with the same want of wisdom, and had been brought into nearly the same condition, with those at home. In Ireland, he saw the parliament prorogued, (which probably led to a dissolution,) and the affairs of that kingdom left unprovided for, and in the greatest confusion. That in America, measures of violence had been adopted; and it had been the uniform language and doctrine of the ministry, to force that country to submit. That, in his opinion, violence would not do there, and he hoped it would not do here. But even if a plan of force were advisable, why had it not been adhered to? Why did they not adopt and abide by some one system of conduct? That the king's speeches and the language of the ministry at home had denounced nothing but war and vengeance against a rebellious people; whilst his majesty's governors abroad were instructed to convey to them the gentlest promises of relief and satisfaction.

His Lordship here referred to Lord Bottetourt's speech to the assembly of Virginia, in May, 1769, out of which

he recited a passage in point. The passage was this:—"I think myself peculiarly fortunate to be able to inform you that in a letter dated May 13, I have been assured by the earl of Hillsborough, that his majesty's present administration have at no time entertained a design to propose to parliament to lay any further taxes upon America for the purpose of raising a revenue, and that it is their intention to propose in the next session of parliament to take off the duties upon glass, papers, and colours, upon consideration of such duties having been laid contrary to the true principles of commerce."

With respect to foreign affairs, he thought it highly necessary to enquire why France had been permitted to make so considerable an acquisition as the island of Corsica? That no man could deny that this island would prove a great addition to the strength of France, with respect to her marine, both from its harbours and the timbers it produced. He thought this attempt of France was not only unjust in itself, but directly contrary to certain stipulations in the treaty of Aix-la-Chapelle, confirmed by that of 1763, by which it was determined and settled, "That the republic of Genoa should be entirely re-established and maintained in all its former states and possessions; and that for the advantage and maintenance of the peace in general, and for the tranquillity of Italy in particular, all things should remain there in the condition they were in before the war." That he had not dwelt so strongly as he might have done upon that great invasion of the constitution which had now thrown this whole country into a flame. The people were sufficiently alarmed for their rights, and he did not doubt but that matters would be duly enquired into. But he considered it only as the point to which all the other measures of the administration had tended. That when the constitution was violated, we should not content ourselves with repairing the single breach, but look back into the causes, and trace the principles which had produced it, in order, not merely

to restore the constitution to present health, but, if possible, make it invulnerable hereafter.

Upon the whole, he recommended it strongly to their lordships, to fix an early day for taking into their consideration the state of this country in all its relations and dependencies, foreign, provincial, and domestic; for we have been injured in them all. That consideration would, he hoped, lead their lordships to advise the crown not only how to correct past errors, but how to establish a system of government more wise, more permanent, better suited to the genius of the people, and at least consistent with the spirit of the constitution.

DUKE OF GRAFTON,

In Reply.

He did not oppose the motion; on the contrary, he engaged to second it, and to meet the noble lord upon the great question whenever the house should think proper. For the present, he meant only to exculpate himself from some severe reflections, which he thought were directed particularly and personally against himself. That he was ready to justify the measures alluded to by the noble lord, as well as every other part of his conduct; and he did not doubt of being able to do so to the satisfaction of the house. That the resumption made by the commissioners of the treasury of a supposed grant of the crown land had been most unfairly represented. He wished the noble lord, instead of the word property, had only used possession; and then he would have truly described the fact and the object. That upon the application made to the board, by the person who had discovered the defect in the noble duke's title, he could not, consistently with his duty as an officer of the crown, have

rejected the claim made by that person. That if the noble duke, instead of being an opponent, had been the warmest friend of administration, the treasury board could not have acted otherwise than they did, without a flagrant violation of justice; and as for that hurry and precipitation of which they were accused, he took upon him to contradict the noble lord in the most positive manner, and offered to prove at the bar of the house that they had proceeded, not only with temper and deliberation, but with the utmost attention to the interests of the noble duke, and every possible mark of respect to his person; and had protracted their decision to the very last moment allowed by the rules of the board. With respect to the debt upon the civil list, he neither had nor could have any personal motives for wishing to conceal from parliament the particulars of the extraordinary expences by which that debt had been incurred. That the persons to whose offices it belonged, had been constantly employed in drawing up a state of that account, and that they had received every possible light and information from the officers of the crown, in order to shorten and facilitate business: but it was a work of infinite labour and extent, and notwithstanding the utmost diligence in the several public offices, could not yet be completed.

That in regard to foreign affairs, he believed the conduct of the king's ministers would bear the strictest examination, and would be found irreproachable. That for his own part he had never thought, nor had he ever affirmed, that the conditions of the late peace were such as the people had a right to expect. He had maintained the contrary opinion in former times, and no change of situation should ever induce him to relinquish it. But that the peace being once made, and those advantages which we might have expected from a continuance of the war, being now irrecoverable, he would never advise the king to engage in another war, as long as the dignity of the crown and the real interests of the nation

could be preserved without it. That what we had suffered already by foreign connections ought to warn us against engaging lightly in quarrels in which we had no immediate concern, and to which we might probably sacrifice our own most essential interests.

EARL OF CHATHAM.

His Speech on the same Subject.

My Lords,

I MEANT to have risen immediately to second the motion made by the noble lord. The charges which the noble duke seemed to think affected him particularly, did undoubtedly demand an early answer; it was proper he should speak before me, and I am as ready as any man to applaud the decency and propriety with which he has expressed himself.

I entirely agree with the noble lord, both in the necessity of your lordships' concurring with the motion, and in the principles and arguments by which he has very judiciously supported it. I see clearly that the complexion of our government has been materially altered; and I can trace the origin of the alteration up to a period which ought to have been an æra of happiness and prosperity to this country.

My lords, I shall give you my reasons for concurring with the motion, not methodically, but as they occur to my mind. I may wander, perhaps, from the exact parliamentary debate; but I hope I shall say nothing but what may deserve your attention, and what if not strictly proper at present, would be fit to be said, when the state of the nation shall come to be considered. My uncertain state of health must plead my excuse. I am now in some pain, and very probably may not be able

to attend my duty when I desire it most in this house. I thank God, my lords, for having thus long preserved so inconsiderable a being as I am, to take a part upon this great occasion, and to contribute my endeavours, such as they are, to restore, to save, to confirm the constitution. My lords, I need not look abroad for grievances. The grand capital mischief is fixed at home. It corrupts the very foundation of our political existence, and preys upon the vitals of the state. The constitution has been grossly violated.—THE CONSTITUTION AT THIS MOMENT STANDS VIOLATED. Until that wound be healed, until the grievance be redressed, it is in vain to recommend union to parliament—in vain to promote concord among the people. If we mean seriously to unite the nation within itself, we must convince them that their complaints are regarded, and that their enquiries shall be answered. On that foundation, I would take the lead in recommending peace and harmony to the people: on any other, I would never wish to see them united again. If the breach in the constitution be effectually repaired, the people will of themselves return to a state of tranquillity: if not, MAY DISCORD PREVAIL FOR EVER! I know to what point this doctrine and this language will appear directed. But I feel the principles of an Englishman, and I utter them without apprehension or reserve. The crisis is indeed alarming: so much the more does it require a prudent relaxation on the part of government. If the king's servants will not permit a constitutional question to be decided on according to the forms and on the principles of the constitution, it must then be decided in some other manner: and rather than it should be given up, rather than the nation should surrender their birthright to a despotic minister, I hope, my lords, old as I am, I shall see the question brought to issue, and fairly tried between the people and the government. My lords, this is not the language of faction. Let it be tried by that criterion by which alone we can distinguish what is factious from what is not—by the principles of

the English constitution. I have been bred up in these principles, and know that when the liberty of the subject is invaded, and all redress denied him, resistance is justified. If I had a doubt upon the matter, I should follow the example set us by the most reverend bench; with whom I believe it is a maxim, when any doubt in point of faith arises, or any question of controversy is started, to appeal at once to the greatest source and evidence of our religion—I mean the Holy Bible. The constitution has its political bible, by which, if it be fairly consulted, every political question may, and ought to be determined. *Magna charta*, the petition of rights, and the bill of rights, form that code which I call the bible of the English constitution. Had some of his majesty's unhappy predecessors trusted less to the comments of their ministers, had they been better read in the text itself, the glorious revolution would have remained only possible in theory, and would not now have existed upon record—a formidable example to their successors.

My lords, I cannot agree with the noble duke, that nothing less than an immediate attack upon the honour or interest of this nation can authorise us to interpose in defence of weaker states, and in stopping the enterprize of an ambitious neighbour. Whenever that narrow selfish policy, has prevailed in our councils, we have constantly experienced the fatal effects of it. By suffering our natural enemies to oppress the powers less able than we are to make a resistance, we have permitted them to increase their strength; we have lost the most favourable opportunities of opposing them with success, and found ourselves at last obliged to run every hazard in making that cause our own, in which we were not wise enough to take part, while the expence and danger might have been supported by others. With respect to Corsica, I shall only say, that France has obtained a more useful and important acquisition in one pacific campaign, than in any of her belligerent cam-

paigns; at least, while I had the honour of administering the war against her. The word may perhaps be thought singular. I mean only, while I was minister, chiefly entrusted with the conduct of the war. I remember, my lords, the time when Lorrain was united to the crown of France: that too was in some measure a pacific conquest, and there were people who talked of it as the noble duke now speaks of Corsica. France was permitted to take and keep possession of a noble province; and according to his grace's ideas, we did right in not opposing it. The effect of these acquisitions is, I confess, not immediate; but they unite with the main body by degrees, and in time make a part of the national strength. I fear, my lords, it is too much the temper of this country to be insensible of the approach of danger, until it comes with accumulated terror upon us.

My lords, the condition of his majesty's affairs in Ireland, and the state of that kingdom within itself, will undoubtedly make a very material part of your lordships' enquiry. I am not sufficiently informed to enter into the subject so fully as I could wish, but from what appears to the public and my own observation, I confess I cannot give the ministry much credit for the spirit or prudence of their conduct. I see that where their measures are well chosen, they are incapable of carrying them through without some unhappy mixture of weakness or imprudence. They are incapable of doing entirely right. My lords, I do from my conscience, and from the best weighed principles of my understanding, applaud the augmentation of the army. As a military plan, I believe it has been judiciously arranged. In a political view, I am convinced it was for the welfare, for the safety of the whole empire. But, my lords, with all these advantages, with all these recommendations, if I had the honour of advising his majesty, I would never have consented to his accepting the augmentation with that absurd, dishonourable condi-

tion which the ministry have submitted to annex to it. My lords, I revere the just prerogative of the crown, and would contend for it as warmly as for the rights of the people. They are linked together, and naturally support each other. I would not touch a feather of the prerogative. The expression perhaps is too light; but since I have made use of it, let me add, that the entire command and power of directing the local disposition of the army, is to the royal prerogative as the master feather in the eagle's wing: and if I were permitted to carry the allusion a little farther, I would say, they have disarmed the imperial bird, the "*ministrum fulminis alitem.*" The army is the thunder of the crown. The ministry have tied up the hand which should direct the bolt.

My lords, I remember that Minorca was lost for want of four battalions: they could not be spared from hence, and there was a delicacy about taking them from Ireland. I was one of those who promoted an enquiry into that matter in the other house; and I was convinced we had not regular troops sufficient for the necessary service of the nation. Since the moment the plan of augmentation was first talked of, I have constantly and warmly supported it among my friends; I have recommended it to several members of the Irish house of commons, and exhorted them to support it with their utmost interest in parliament. I did not foresee, nor could I conceive it possible, the ministry would accept of it, with a condition that makes the plan itself ineffectual, and, as far as it operates, defeats every useful purpose of maintaining a standing military force. His majesty is now so confined by his promise, that he must leave twelve thousand men locked up in Ireland, let the situation of his affairs abroad, or the approach of danger to this country, be ever so alarming, unless there be an actual rebellion or invasion in Great Britain. Even in the two cases excepted by the king's promise, the mischief must have already begun to operate, must have

already taken effect, before his majesty can be authorised to send for the assistance of his Irish army. He has not left himself the power of taking any preventive measures; let his intelligence be ever so certain, let his apprehensions of invasion or rebellion be ever so well founded; unless the traitor be actually in arms, unless the enemy be in the heart of your country, he cannot move a single man from Ireland.

I feel myself compelled, my lords, to return to that subject which occupies and interests me most—I mean the internal disorder of the constitution, and the remedy it demands. But first, I would observe, there is one point upon which I think the noble duke has not explained himself. I do not mean to catch at words, but if possible to possess the sense of what I hear. I would treat every man with candour, and should expect the same candour in return. For the noble duke, in particular, I have every personal respect and regard. I never desire to understand him but as he wishes to be understood. His grace, I think, has laid much stress upon the diligence of the several public offices, and the assistance given them by the administration, in preparing a state of the expences of his majesty's civil government, for the information of parliament, and for the satisfaction of the public. He has given us a number of plausible reasons for their not having yet been able to finish the account; but as far as I am able to recollect, he has not yet given us the smallest reason to hope that it ever will be finished, or that it ever will be laid before parliament.

My lords, I am not unpractised in business; and if with all that apparent diligence, and all that assistance which the noble duke speaks of, the accounts in question have not yet been made up, I am convinced there must be a defect in some of the public offices, which ought strictly to be enquired into, and severely punished. But, my lords, the waste of the public money, is not of itself so important as the pernicious purpose to which we have

reason to suspect that money has been applied. For some years past, there has been an influx of wealth into this country, which has been attended with many fatal consequences; because it has not been the regular, natural produce of labour and industry. The riches of Asia have been poured in upon us, and have brought with them not only Asiatic luxury, but I fear Asiatic principles of government. Without connections, without any natural interest in the soil, the importers of foreign gold have forced their way into parliament, by such a torrent of private corruption as no private hereditary fortune could resist. My lords, I say nothing but what is within the knowledge of us all. The corruption of the people is the great original cause of the discontents of the people themselves, of the enterprises of the crown, and the notorious decay of the internal vigour of the constitution. For this great evil some immediate remedy must be provided; and I confess, my lords, I did hope that his majesty's servants would not have suffered so many years of peace to elapse without paying some attention to an object which ought to engage and interest us all. I flattered myself I should see some barriers thrown up in defence of the constitution some impediment formed to stop the rapid progress of corruption. I doubt not we all agree that something must be done. I shall offer my own thoughts, such as they are, to the consideration of the house; and I wish that every noble lord who hears me would be as ready as I am to contribute his opinion to this important service. I will not call my own sentiments crude and indigested: it would be unfit for me to offer any thing to your lordships which I had not well considered; and this subject, I own, has long occupied my thoughts. I will now give them to your lordships without reserve. Whoever understands the theory of the English constitution, and will compare it with the fact, must see at once how widely they differ. We must reconcile them to each other, if we wish to save the liberties of this country,

We must reduce our political practice as nearly as possible to our political principles. The constitution intended that there should be a permanent relation between the constituent and representative body of the people. Will any man affirm that as the house of commons is now formed, that relation is in any degree preserved? My lords, it is not preserved: it is destroyed. Let us be cautious, however, how we have recourse to violent expedients.

The boroughs of this country have properly enough been called the rotten parts of the constitution. I have lived in Cornwall, and without entering into an invidious particularity, have seen enough to justify the appellation. But in my judgment, my lords, these boroughs, corrupt as they are, must be considered as the natural infirmity of the constitution. Like the infirmities of the body, we must bear them in patience, and submit to carry them about with us. The limb is mortified, but the amputation might be death.

Let us try, my lords, whether some gentle remedies may not be discovered. Since we cannot cure the disorder, let us endeavour to infuse such a portion of new health into the constitution as may enable it to support its most inveterate diseases.

The representation of the counties is, I think, still preserved pure and uncorrupted. That of the great cities is upon a footing equally respectable; and there are many of the larger trading towns, which still preserve their independence. The infusion of health which I now allude to, would be to permit every county to elect one member more in addition to their present representation. The knights of the shires approach nearest to the constitutional representation of the country, because they represent the soil. It is not the little dependent boroughs, it is in the great cities and counties that the strength and vigour of the constitution resides, and by them alone, if an unhappy question should ever arise, will the constitution be honestly and firmly defended. I would encrease that

strength, because I think it is the only security we have against the profligacy of the times, the corruption of the people, and the ambition of the crown.

I think I have weighed every possible objection that can be raised against a plan of this nature; and I confess I see but one which to me carries any appearance of solidity. It may be said, perhaps, that when the act passed for uniting the two kingdoms, the number of persons who were to represent the whole nation in parliament was proportioned and fixed on for ever—that the limitation is a fundamental article, and cannot be altered without hazarding a dissolution of the union.

My lords, no man who hears me can have a greater reverence for that wise and important act than I have. I revere the memory of that great prince who first formed the plan, and of those illustrious patriots who carried it into execution. As a contract, every article of it should be inviolable. As the common basis of the strength and happiness of two nations, every article of it should be sacred. I hope I cannot be suspected of conceiving a thought so detestable, as to propose an advantage to one of the contracting parties, at the expence of the other. No, my lords, I mean that the benefit should be universal, and the consent to receive it unanimous. Nothing less than a most urgent and important occasion should persuade me to vary even from the letter of the act; but there is no occasion, however urgent, however important, that should ever induce me to depart from the spirit of it. Let that spirit be religiously preserved. Let us follow the principle upon which the representation of the two countries was proportioned at the union; and when we increase the number of representatives for the English counties, let the shires of Scotland be allowed an equal privilege. On these terms, and while the proportion limited by the union is preserved between the two nations, I apprehend that no man, who is a friend to either, will object to an alteration, so necessary for the security of both. I do not speak of the authority of

the legislature to carry such a measure into effect, because I imagine no man will dispute it. But I would not wish the legislature to interpose by an exertion of its power alone, without the cheerful concurrence of all parties. My object is the happiness and security of the two nations, and I would not wish to obtain it without their mutual consent.

My lords, besides my warm approbation of the motion made by the noble lord, I have a particular and personal pleasure in rising up to second it. I consider my seconding his lordship's motion, and I would wish it to be considered by others, as a public demonstration of that cordial union which I am happy to affirm subsists between us—of my attachment to those principles which he has so well defended, and of my respect for his person. There has been a time, my lords, when those who wished well to neither of us, who wished to see us separated for ever, found a sufficient gratification for their malignity against us both. But that time is happily at an end. The friends of this country will, I doubt not, hear with pleasure, that the noble lord and his friends are now united with me and mine, upon a principle which I trust will make our union indissoluble. It is not to possess, or divide, the emoluments of government; but, if possible, to save the state. Upon this ground we met—upon this ground we stand, firm and inseparable. No ministerial artifices, no private offers, no secret seduction, can divide us. United as we are, we can set the profoundest policy of the present ministry their grand, their only *arcanum* of government, their *divide et impera*, at defiance.

I hope, an early day will be agreed to for considering the state of the nation. My infirmities must fall heavily upon me, indeed, if I do not attend my duties that day. When I consider my age and unhappy state of health, I feel how little I am personally interested in the event of any political question. But I look forward to others, and am determined as far as

my poor ability extends, to convey to those who come after me, the blessings which I cannot long hope to enjoy myself.

LORD SANDWICH.

On the Powers of the House of Commons in Matters of Election.

How the matter before us, he said, ever came to be a question in debate, or how it could be supposed that this house should, or could take cognizance of an affair that does not in any respect apply to them (the expulsion and incapacitation of members being acts only relative to the commons, to which they immediately belong,) is to me an object of as much surprise, as any I ever met with in the course of my being a member of this house.

Though the impropriety of this proceeding might be very easily exposed in theory, by proving particular inherent rights in either house uncontrolable by any other power, I shall avoid launching into so wide a field, and confine myself to the state of our journals, where we shall find many instances to prove the independent power either house has in the article of expulsion and incapacitation. Two fall immediately under my memory, which, as they are directly similar, I shall beg leave to remind your lordships of.

The first I shall mention was Lionel, earl of Middlesex, in the reign of Charles II. who, for certain crimes and misdemeanours, was considered not only as an improper person to officiate for the present, but for ever precluded and incapacitated to serve in this house. The other was that of lord Bacon, who, though a man of acknowledged great capacity, yet, on account of bribery and corruption being

proved against him, shared the same fate as the earl of Middlesex. Indeed this last instance is so very notorious, that I should not mention it to your lordships, but that it applies so directly to my present purpose.

In both these cases, we find no alarm from any of the other branches of legislation; they stood quite silent and undisturbed, knowing their interference was improper, as well as unnecessary; nor was there so much as a supposal, that either the laws of this house, or those of the land, had been in the least violated, or broke in upon.

I should be glad to know, my lords, how came this doctrine of late to be broached? Who should be the most naturally tenacious of their own liberties and privileges, but the members of that house themselves? Yet great as the paradox is, we find numbers of those very members, both in the house and out of it, use every effort to devest themselves of this privilege. How, then, are we to explain such unaccountable conduct—but that the spirit of party has gone abroad, and has been successful in its wiles of seduction? If any encroachment, indeed, had been made on the other branches of legislation, either on this house, or the royal prerogative, then it would indispensably behove us to interfere for the benefit of the whole; but as neither of these have happened, as the affair is only a point that respects the honour of their own house, let us leave it to themselves to determine it as they like.

But it is urged by the noble marquis who opened the debate, that an alarm is gone forth among the people; that their minds are disquieted; that the laws of the land have been trampled on; that the grievances they have petitioned for are left unredressed; and to close this dreadful catalogue of evils, the number which they have repeatedly returned, has been as repeatedly rejected, and finally incapacitated. Though I have the highest opinion of the noble marquis's veracity in other respects, I must beg leave to think he is very much mistaken in the former part of his assertions. I have been at some

pains (from the bustle this alarm first created) to examine with as much accuracy and impartiality as I was capable, into its real situation; and I have found it, on the strictest search, to be nothing more than a faction, first set on foot by the daring and ambitious, and occasionally supported by the desperate, necessitous, and ignorant. But let us take the fact as represented.—We are told that the majority of the people of England have petitioned for a redress of grievances. Now the whole of the people of England are contained within forty counties; thirteen only of which have petitioned.—This, my lords, on the first view, requires no deep calculation, no abstract knowledge of numbers, to tell that thirteen is not quite one third of forty, though it is roundly asserted, that the whole of the people of England have petitioned. If we will further suppose (which we may impartially do) that a number of those who have signed the petitions possess no manner of freehold, but are led thither either by the general pressure of poverty, the want of an immediate meal, or the future hopes of some better establishment. If we will, likewise, consider what a number have been intimidated into it (I say intimidated, my lords; for if we look into the Gazette, we shall there find menacing letters, frequently directed to those who had firmness of mind, and good sense sufficient to be guided by their own opinions in these matters,) we shall, even in these thirteen counties, find the number so lessened, as not to make up really a twentieth part of his majesty's subjects.

And shall the supplications, then, of so small a number be considered as the general voice of the people? Are privileges to be broken in upon, and arbitrary dictums to be complied with, because a few factious, discontented people would have it so?

I remember, my lords, some years ago, when I was a member of the other house, there was a remonstrance from the aldermen of the town I represented, complaining (in the name of the whole) of some corporation

fraudulences. When the house began to consider that the corporation consisted of a great many members, and that but two, out of so many had complained, they set the remonstrance aside, as nugatory and frivolous; judging very properly, if any real grievance had existed, it would have been better supported.

Let us then, my lords, be supperior to these false alarms—the feeble echoes of despondence and ambition. Let us act like the real guardians of the nation, steady in supporting the privileges of the people, but not too forward to appear when no real danger presses.

If the house of commons think themselves insulted, by having a member forced upon them, whose private or public qualities are obnoxious to them, let them determine it among themselves; it would ill become us to widen the breach, by creating a rupture between those two branches of the legislation, on whose unanimity and concord every thing depends that is conducive to the real interests of the people, or the honour of the crown.

EARL OF CHATHAM,

In Reply.

He began by observing, that the noble lord had been very adroit in referring to the journals, and in collecting every circumstance that might assist his argument. Though my long and almost continued infirmities have denied me the hour of ease to obtain these benefits, yet, without the assistance of the journals, or other collateral helps, I can reply to both the precedents which his lordship has produced.

I will readily allow the facts to be as the noble earl

has stated them, viz. that Lionel, earl of Middlesex, as well as lord Bacon, were both, for certain crimes and misdemeanors, expelled this house, and incapacitated from ever sitting here, without occasioning any interference from the other branches of the legislature. Neither of these cases bears any analogy to the present case; they affected only themselves; the right of no constituent body were affected by them. It is not the injury done to the person of Mr. Wilkes that is complained of; as an individual, he is personally out of dispute. The cause of complaint, the great cause is, that the inherent rights and franchises of the people are in his case invaded, trampled upon, and annihilated. Lord Bacon and lord Middlesex represented no county or city. The rights of no freeholder, the franchises of no elector were destroyed by their expulsion. The cases are widely different, as north from south. But I will allow the noble lord a *succedaneum* to his argument, which, probably, he has not as yet thought of. I will suppose he argues "that whatever authority gives a seat to a peer, it is at least as respectable as that which gives it to a commoner; and that both in expulsion and incapacitation the injury is directly the same:"—granted; and I will further allow, that if Mr. Wilkes had not been re-elected by the people, the first expulsion, I believe, would be efficient. Therefore, my lords, this comparison ceases; for, except these noble lords mentioned, had received a fresh title, either by birth or patent, they could not possibly have any claim after the first expulsion. The noble lord asks, "How came this doctrine to be broached?" and adds, "Who should be more tenacious of their liberties and privileges than the members themselves?" In respect to the latter part of this question, I agree none should be so proper as themselves to protect their own rights and privileges; and I sincerely lament that they have by their recent conduct so far forgot what those privileges are, that they have added to the long list of venality, from Esau to the present day. In regard

to the first part, "How came this doctrine to be broached?" I must tell the noble lord it is as old as the constitution itself; the liberties of the people, in the original distribution of government, being the first thing provided for; and in the case of Mr. Wilkes, though we have not instances as numerous as in other cases, yet it is by no means the less constitutional; like a comet in the firmament, which, however it may dazzle and surprise the vulgar and untutored, by the unfrequency of its appearance, the philosopher, versed in astronomic science, it affects no more than any other common process of nature, being perfectly simple, and to him perfectly intelligible. Need I remind you, my lords, at this period, of that common school-boy position "that the constitution of this country depends upon king, lords, and commons, and that each by their power is a balance to the other?" If this be not the case, why are the three estates constituted? Why should it be necessary, before an act of parliament takes place, that their mutual concurrence should be had? My lords, I am ashamed to trudge in this common track of argument; and have no apology to make, but that I have been drawn into it by the noble lord's asserting "We had no right to interfere with the privileges of the other house." The noble earl has been very exact in his calculations of the proportion of persons who have petitioned; and did the affair rest merely on this calculation, his argument would be unanswerable: but will he consider what numbers there are who felt all the rigour of parliamentary proceedings, but whose sentiments, for want of a few principals to call them together and collect their opinions, have never reached the ear of their sovereign? if we add to this number the interest made use of on the side of government to suppress all petitions, with the authority that placemen have necessarily over their dependents, it is very surprising, that out of forty counties thirteen had spirit and independence sufficient to stem such a tide of venality. But I will suppose that this

was not the case; that no undue influence was made use of, and that hence but one-third of the people think themselves aggrieved. Are numbers to constitute right? Are not the laws of the land fixed and unalterable? And is not this proceeding complained of, or any other, (supported even but by one) to be tried and adjudged by these laws? Therefore, however the noble lord may excel in the doctrine of calculation, as a speculative matter, it can by no means serve him, urged in the course of argument.

Let us not then, my lords, be deaf to the alarms of the people, when these alarms are founded on the infringement of their rights. Let us not sit neuter and inattentive to the proceedings of the other house. We are equally with that house entrusted with the people's rights, and we cannot conscientiously discharge our duties without our interference, whenever we find those rights, in any part of the constitution, trampled upon.

I have, my lords, trespassed on your patience, at this late hour of the night, when the length of the debate must have fatigued your lordships considerably. But I cannot apologize. In a case so deeply interesting to the nation, no time can be too long—no time can be lost—no hardships can be complained of. He condemned the conduct of the house of commons, in terms of asperity. He denominated the vote of that house, which had made colonel Luttrell representative for Middlesex, a gross invasion of the rights of election, a dangerous violation of the English constitution, a treacherous surrender of the invaluable privileges of a freehold, and a corrupt sacrifice of their own honour. They had stript the statute book of its brightest ornaments, to gild the wings, not of prerogative, but of unprincipled faction and lawless dominion. To gratify the resentments of some individuals, the laws had been despised, trampled upon, and destroyed; those laws which had been made by the stern virtue of their ancestors, the iron barons of old, to whom we were in-

debted for all the blessings of our present constitution, to whose virtue and whose blood, to whose spirit in the hour of contest, and to whose tenderness in the triumph of victory, the barons of the present day owe their honours and their seats, and both houses of parliament owe their continuance. These measures, he said, made a part of that unhappy system which had been formed in the present reign, with a view to new model the constitution, as well as the government. These measures originated, he would not say, with his majesty's knowledge, but in his majesty's councils. The commons had slavishly obeyed the commands of his majesty's servants, and had thereby exhibited and proved to the conviction of every man, what might have been only matter of suspicion before—that ministers held a corrupt influence in parliament; it was demonstrable, it was indisputable. It was therefore particularly necessary for their lordships, at this critical and alarming period, so full of jealousy and apprehension, to step forwards, and oppose themselves, on the one hand, to the justly incensed, and perhaps speedy, intemperate rage of the people: and on the other, to the criminal and malignant conduct of his majesty's ministers: that they might prevent licentiousness on the one side, and depredation on the other. Their lordships were the constitutional barrier between the extremes of liberty and prerogative.

LORD MANSFIELD.

His Speech on the same Subject.

My Lords,

In this debate, though it has been already spoken to with great eloquence and perspicuity, I cannot content

myself with only giving a silent vote. I feel myself under a strong necessity of saying something more; the subject requires it, and though the hour is late, I shall demand your indulgence, while I offer my sentiments on this motion. What part I took previously in this matter shall ever remain with myself. I have, I must confess, deposited it in the breast of one of the royal family, but, resting secure in that confidence, I shall never declare it to any other.

I am sure, my lords, many of you must remember from your reading and experience, several persons expelled the house of commons, without ever this house once pretending to interfere, or call in question by what authority they did so. I remember several myself (here his lordship quoted several cases with great strength of memory), in all which, though most of the candidates were sure to be re-chosen, they never once applied, resting contented with the expulsatory power of the house, as the only self-sufficient dernier resort of application. It has been echoed on all sides, from the partizans of this motion, that the house of commons acted illegally, in accepting colonel Luttrell, who had but 296 votes, in preference to Mr. Wilkes, who had 1143; but this is a mistake of the grossest nature imaginable, and which nothing but the intemperature of people's zeal could possibly transport them to. As Mr. Wilkes had been previously considered by the laws as an unqualified person to represent the people in parliament; therefore, it appears very plainly, that colonel Luttrell had a very great majority, not less than 296, Mr. Wilkes being considered as nobody in the eye of the law; consequently colonel Luttrell had no legal opposition.

In all contested elections, where one of the parties think themselves not legally treated, I should be glad to know to whom it is they generally resort. Is it to the freeholders of the borough, or to the county they would represent, or is it to the people at large? Who cannot see, at once, the absurdity of such a question? Who is

so ignorant of our laws, that cannot immediately reply and say. "It is to the house of commons, who are the only judges to determine every nicety of the laws of elections, and from whom there is no appeal, after they have once given their determination." All the freeholder can do, is to determine on his object by giving him his vote—the ultimate power lies with the house of commons, who are to judge of his being a legal object of representation in the several branches of his qualifications. This, my lords, I believe, is advancing no new doctrine, nor adding an iota to the extension of the privilege of a member of the house of commons, more than what the constitution has long ago given him. Yet, here is a cry made, in a case that directly applies to what I have been speaking of, as if it was illegal, arbitrary, and unprecedented.

I do not remember, my lords, either in the course of my reading or observation, ever to know an instance of a person being re-chosen, after being expelled, till the year 1711. Then, indeed, my memory serves me with a case of sir Robert Walpole; he was expelled the house of commons, and was afterwards re-chosen; but this last event did not take place till the meeting of the next parliament; and during that interval I find no debate about the illegality of his expulsion, no interference of the house of lords, nor no addresses from the public to decry that measure, by a dissolution of parliament.

Indeed, as for a precedent of one house interfering with the rules, orders, or business of another, my memory does not serve me at present with the recollection of a single one. As to the case of Titus Oates, as mentioned by the noble lord in my eye (lord Chatham,) he is very much mistaken in regard to the mode: his was a trial in the king's bench, which, on a writ of error, the house of commons interfered in, and they had an authority for so doing. A judge certainly may be mistaken in points of law—The wisest and the best of us may be so at times, and it reflects no discredit; on the contrary, it

does particular honour, where he finds himself so mistaken, to reverse his own decree; but for one house of parliament, interfering with the business, and reversing the resolutions of another, it is not only unprecedented, but unconstitutional to the last degree.

But suppose, my lords, that this house coincided with this motion; suppose we all agreed, *nem. con.* "to repeal and rescind the resolutions of the house of commons in regard to the expulsion and incapacitation of Mr. Wilkes;"—Good God, what may be the consequence! The people are violent enough already; and to have the superior branch of legislation join them, would be giving such a public encouragement to their proceedings, that I almost tremble, while I even suppose such a scene of anarchy and confusion.

I remember, my lords, an anecdote of Roman history, as told us by that justly celebrated historian, Livy. At a period when the people of Rome thought their senate were acting unconstitutionally, they had formed a scheme of giving them up into the hands of the enemy. Determined on this opinion, they were for some time waiting but for an opportunity; when one of their leaders, on whose valour, wisdom, and integrity they had the last dependence, diverted them from their intentions, by reminding them "that by this revolution they might probably change for worse masters." From the inference that may be drawn from this anecdote, and for the reasons I have already mentioned to your lordships, I am against this bill.

CHARLES PRATT,

(EARL CAMDEN,)

Was the son of sir John Pratt, and born in the year 1713. He was educated at Cambridge. He made little figure for many years after he was called to the bar; but at length, by the interest of the chancellor Henley, he obtained considerable practice, and was recommended by him to the friendship of Mr. Pitt, afterwards lord Chatham. By this means, he successively rose to the stations of attorney-general, chief justice of the common pleas, and lord chancellor. He distinguished himself in the latter situations by taking a decided part against the government, in favour of Wilkes. For this, he had the freedom of the city of London voted him in a gold box, and his portrait was stuck up in Guildhall. He was made president of the council after the American war, which situation he held till his death, in 1794. He appears to have been a mere party man, without any abilities whatever, and without that sense of his own deficiencies which atones for the want of them. He was the legal mouth-piece of Chatham, the judicial oracle of the party, who gravely returned the answers that were given him by the political priesthood, of whom he was the organ. He was one of those dull, plodding, headstrong, honest men, with whom so large a part of the community naturally sympathise, and of whom it is always convenient to have one at least in every administration, or antiministerial party. To the generality of mankind, dulness is the natural object of sympathy and admiration; it is the element in which they breathe; it is that which is best fitted to their gross capacities. The divinity of genius is itself too dazzling an object for them to behold, and requires the friendly interposition of some thick cloud to dim its lustre, and blunt the fierceness of its rays. The people love to idolize greatness in some vulgar representation of it, and to worship their own likeness in stocks and stones. Lord Camden was just the man to address those who can only assent, but cannot reason. With men of this character, the strength of the reasoning always weakens the force of the argument; their heads will only bear a certain quantity of thought, and by attempting to enlighten, you only confound their understandings. Any thing like proof always operates as a negative quantity upon their prejudices, because it puts them out of their way, and they cannot get into any other. Nothing can be more feeble than the following reply of his to lord Mansfield, in which he had pledged himself to prove—I know not what. He was more ready to throw down his pledges than to redeem them, (to speak in the parlia-

mentary style.) This was of little consequence. Though often foiled, it did not abate his ardour, or lessen his confidence: he was still *staunch* to his cause, and (no matter whether right or wrong in his argument,) he was always sure of his conclusion. The less success a man has in maintaining his point, the more does he shew his steadiness and attachment to his object in persevering in it in spite of opposition; and the proof of fortitude which he thus gives must naturally induce all those of the same sanguine disposition, who have the same zeal and the same imbecility in the defence of truth, to make common cause with him. Such was lord Camden; of whom, however, (lest I should seem to have conceived some hasty prejudice against him,) I must confess that I am by no means convinced that he was not quite as great a man as the generality of those who have risen by the same gradations to the same high offices that he did, either before or since his time.

His Speech in Reply.

My Lords,

I HAVE reserved myself till now in this debate. Indeed I did not think it necessary to speak after so many of my ingenious friends, who have discussed this subject with an eloquence and integrity that must reflect equal honour on their hearts and abilities; but the sentiments of the noble lord on the wool-sack, just delivered, force me from my seat, and I should think myself wanting in my duty, as a friend to this house, to the constitution, and consequently to the cause I am embarked in, did I forego making some observations on opinions, I think, pregnant with such unconstitutional doctrines. As to the noble lord's reasons on the first measure of this debate—why he concealed them, or what is equally the same, only communicated them in confidence to one person, I have nothing to do with them; they may appear sufficiently cogent to influence him to act so; though I could not reconcile it to myself, in a matter of

such importance, to sit totally neuter; there is a period when this poised situation in so principal an officer of the crown, becomes dangerous to the state, as well as criminal in the party; and the negation of advice when wanted, very often may be of the most dangerous and fatal consequence. My noble friends, who have spoke early in this debate, particularly the noble lord who faces me, (meaning lord Chatham) have most fully and satisfactorily shewn you the illegality of the Middlesex proceedings in parliament. He has explained how the votes of electors have been unwarrantably set aside; how the house of commons have assumed a power, in respect to the election in point, of setting up their will against *magna charta*, the bill of rights, and those fundamental laws from whence the people at large derive their privileges; in short, he has very judiciously painted its process, and held it out in that strong, yet not overcharged colouring, it really wears.

The noble lord on the wool-sack asks, in all contested elections, who should the people resort to but the house of commons to decide on their legality? I agree thus far with the noble lord, they are very judiciously the resort in these cases; but what do they determine on? Why, they are to determine on the qualifications of the voter, the validity of charters, usage of places, and the majority of the number of electors thus qualified. But in the case before us, the opponent does not even pretend that any of these were broke in upon; conscious of being able to play a safer and more expeditious game, he only produces his 296 votes, which though but a fourth part of what was voted against him, serve him effectually, and he takes his seat as if he had an apparent majority, qualified in every respect agreeable to the principles of the constitution. But then it is objected, that Mr. Wilkes being an expelled member, he could not be considered as a legal opponent. Will that noble lord suffer me to ask him another question, by way of answer.—Was there not a time when Mr. Wilkes was not under expulsion.

and when he was unanimously chosen? What then prevented the house from admitting him their member? I am ashamed to guess at it—merely because they would act in an arbitrary, dictatorial manner, in spite of law or precedent, against reason or justice—a secret influence had said the words, "Mr. Wilkes shall not sit;" and the fiat was to be obeyed, though it tore up the heart-strings of this excellent constitution.

The noble lord has been very expert in referring to cases; he has shewn great strength of memory, as well as industry, in so readily producing them; but I apprehend the question should be taken upon a more broad and general bottom; not only as a particular candidate against a particular candidate not as Mr. Wilkes opposed to colonel Luttrell, but as the electors at large against the assumed power of the house of commons. The noble lord, though I am very well acquainted with the goodness of his memory, and have but just now borne testimony to it, has however forgot one precedent, where one branch of the legislature took cognizance of the other. I shall beg leave to remind him of it, and I am sure, when I mention it, his intimate knowledge with the history of his country will readily furnish him with a recollection of it. It was that infamous tax of ship money in the reign of Charles the first. This inequitable, unconstitutional tax, was as loudly talked of to be legal then, as the expulsion and incapacitation of Mr. Wilkes is at this day, and it received almost as great an authority; it received the authority of the twelve judges of the land, assembled in solemn convocation in the court of exchequer; a ratification than which nothing could be seemingly stronger; but what did the succeeding parliament, who met in the year 1640, do? Why, the very first thing they did, was to nullify that determination, as being contrary to the laws of the land, and injurious to the rights of the people. And will any one be hardy enough at this day to assert they did wrong? So far from being alarmed at one act of legislation inter-

fering with another, they considered, that though it was a painful act of necessity, yet it was better to do so, than suffer themselves to be enslaved—the people justly joined in the cry, and it then ceased to be a case between Mr. Hampden and the king, but the people of England against venal and oppressive ministers.

I will suppose, for a moment, that our ancestors acted as the noble lord on the wool-sack at present advises; that they, for fear of fomenting the divisions of the people, acquiesced under the sentence of the judges—what would be, at this day, the consequence? Why, my lords, we should only be taxed at the arbitrary will of a minister, and if we dared to complain, we should be treated as persons acting in opposition to the laws of the land.

As for my part, I must agree with my noble friend who made this motion, "that I will join my feeble efforts to the voice of the people,"—and the louder I hear them cry, the more I shall be pleased; and shall ever, while they proceed in a legal manner, be proud of the honour of assisting them. Let us consider, my lords, we are not now debating a ridiculous point of precedence, or honour, but the liberties and laws of this country; and, in such a critical case of necessity, it becomes us to be sanguine, it becomes us to be unwearied in our endeavours. The judgment passed upon the Middlesex election has given the constitution a more dangerous wound than any which were given during the twelve years absence of parliament in the reign of Charles I; and though this bill might be rejected (as we are all sensible how far a majority will supersede reason and argument) I trust in the good sense and spirit of the people of this country, that they will renew the claims of their inherent and unalienable right to a true and free representation in parliament; and if, session after session, the same fatal influence should continue, (which, for the peace and happiness of this country, Heaven avert!) I expect Englishmen will not lose sight of this bill at the next general

election; but that, then, they will make such a compact with the elected, as to procure an equal representation, and a full redress of the many difficulties they have laboured under.

LORD MANSFIELD.

His Speech on the Debate for restraining Privilege and taking all Privilege away from a Lord's or a Member's Effects and Servants.

My Lords,

When I consider the importance of this bill to your lordships, I am not surprised it has taken up so much of your consideration. It is a bill, indeed, of no common magnitude; it is no less than to take away from two-thirds of the legislative body of this great kingdom, certain privileges, and immunities, of which they have long been possessed. Perhaps there is no situation which the human mind can be placed in, that is so difficult and so trying, as where it is made a judge in its own cause. There is something implanted in the breast of man, so attached to itself, so tenacious of privileges once obtained, that in such a situation, either to discuss with impartiality, or decide with justice, has ever been held as the summit of all human virtue. The bill now in question puts your lordships in this very predicament; and I doubt not but the wisdom of your decision will convince the world, that where self-interest and justice are in opposite scales, the latter will ever preponderate with your lordships.

Privileges have been granted to legislators in all ages, and in all countries. The practice is founded in wisdom; and indeed, it is peculiarly essential to the constitution

of this country, that the members of both houses should be free in their persons in cases of civil suits; for there may come a time when the safety and welfare of this whole empire may depend upon their attendance in parliament. God forbid that I should advise any measure that would in future endanger the state; but the bill before your lordships has, I am confident, no such tendency, for it expressly secures the persons of members of either house in all civil suits. This being the case, I confess, when I see many noble lords, for whose judgment I have a very great respect, standing up to oppose a bill which is calculated merely to facilitate the recovery of just and legal debts, I am astonished and amazed. They, I doubt not, oppose the bill upon public principles: I would not wish to insinuate that private interest has the least weight in their determinations.

This bill has been frequently proposed, and as frequently miscarried; but it was always lost in the lower house. Little did I think when it had passed the commons, that it possibly could have met with such opposition here. Shall it be said that you, my lords, the grand council of the nation, the highest judicial and legislative body of the realm, endeavour to evade, by privilege, those very laws which you enforce on your fellow-subjects? Forbid it justice!—I am sure, were the noble lords as well acquainted as I am with but half the difficulties and delays that are every day occasioned in the courts of justice, under pretence of privilege, they would not, nay, they could not oppose this bill.

I have waited with patience to hear what arguments might be urged against the bill; but I have waited in vain. The truth is, there is no argument that can weigh against it. The justice, the expediency of this bill is such, as renders it self-evident. It is a proposition of that nature that can neither be weakened by argument, nor entangled with sophistry. Much, indeed, has been said by some noble lords, on the wisdom of our ancestors and how differently they thought from us.

They not only decreed that privilege should prevent all civil suits from proceeding during the sitting of parliament, but likewise granted protection to the very servants of members. I shall say nothing on the wisdom of our ancestors; it might perhaps appear invidious, and is not necessary in the present case.

I shall only say, that the noble lords that flatter themselves with the weight of that reflection, should remember, that as circumstances alter, things themselves should alter. Formerly it was not so fashionable either for masters or servants to run in debt, as it is at present; nor formerly were merchants and manufacturers members of parliament, as at present. The case now is very different, both merchants and manufacturers are, with great propriety, elected members of the lower house. Commerce having thus got into the legislative body of the kingdom, privileges must be done away.

We all know that the very soul and essence of trade are regular payments; and sad experience teaches us, that there are men, who will not make their regular payments without the compressive power of the laws. The law, then, ought to be equally open to all; any exemption to particular men, or particular ranks of men, is, in a free and commercial country, a solecism of the grossest nature.

But I will not trouble your lordships with arguments for that which is sufficiently evident without any. I shall only say a few words to some noble lords, who foresee much inconveniency from the person of their servants being liable to be arrested. One noble lord observes, that the coachman of a peer may be arrested while he is driving his master to the house, and consequently, he will not be able to attend his duty in parliament. If this was actually to happen, there are so many methods by which the member might still get to the house, I can hardly think the noble lord is serious in his objection. Another noble peer said, that by this bill they might lose their most valuable and honest servants. This I

hold to be a contradiction in terms; for he can neither be a valuable servant, nor an honest man, who gets into debt, which he is neither able nor willing to pay until compelled by law. If my servant, by unforeseen accidents, has got in debt, and I still wish to retain him, I certainly would pay the debt. But upon no principle of liberal legislation whatever, can my servant have a title to set his creditors at defiance, while for forty shillings only the honest tradesman may be torn from his family, and locked up in goal. It is monstrous injustice! I flatter myself, however, the determination of this day will entirely put an end to all such partial proceedings for the future, by passing into a law the bill now under your lordships' consideration.

I now come to speak upon what, indeed, I would have gladly avoided, had I not been particularly pointed at for the part I have taken in this bill. It has been said by a noble lord on my left hand, that I likewise am running the race of popularity. If the noble lord means by popularity, that applause bestowed by after-ages on good and virtuous actions, I have long been struggling in that race—to what purpose all-trying time can alone determine; but if that noble lord means that mushroom popularity which is raised without merit, and lost without a crime, he is much mistaken in his opinion. I defy the noble lord to point out a single action in my life where the popularity of the times ever had the smallest influence on my determinations. I thank God, I have a more permanent and steady rule for my conduct—the dictates of my own breast. Those that have foregone that pleasing adviser, and given up their mind to be the slave of every popular impulse, I sincerely pity: I pity them still more, if their vanity leads them to mistake the shouts of a mob for the trumpet of fame. Experience might inform them, that many who have been saluted with the huzzas of a croud one day, have received their execrations the next: and many who by the popularity of the times have been held up as spotless patriots, have, nevertheless, appear-

ed upon the historian's page, where truth has triumphed over delusion, the assassins of liberty. Why, then, the noble lord can think I am ambitious of present popularity, that echo of folly and shadow of renown, I am at a loss to determine? Besides, I do not know that the bill now before your lordships will be popular; it depends much upon the caprice of the day. It may not be popular to compel people to pay their debts; and in that case the present must be a very unpopular bill. It may not be popular, neither, to take away any of the privileges of parliament: for I very well remember, and many of your lordships may remember, that not long ago, the popular cry was for the extension of privileges; and so far did they carry it at that time, that it was said that privilege protected members even in criminal actions: nay, such was the power of popular prejudices over weak minds, that the very decisions of some of the courts were tinctured with this doctrine. It was undoubtedly an abominable doctrine: I thought so then, and think so still; but nevertheless, it was a popular doctrine, and came immediately from those who are called the friends of liberty—how deservedly, time will shew. True liberty, in my opinion, can only exist when justice is equally administered to all—to the king and to the beggar. Where is the justice, then, or where is the law that protects a member of parliament more than any other man from the punishment due to his crimes? The laws of this country allow of no place nor employment to be a sanctuary for crimes; and where I have the honour to sit as a judge, neither royal favour nor popular applause shall ever protect the guilty. I have now only to beg pardon for having employed so much of your lordships' time, and am sorry a bill fraught with so good consequences, has not met with an abler advocate; but I doubt not your lordships' determination will convince the world, that a bill calculated to contribute so much to the equal distribution of justice as the present, requires with your lordships but very little support.

COLONEL BARRE.*

He was one of the most strenuous opposers of lord North's administration. Junius says, "I would borrow a simile from Burke, or a sarcasm from Barre." There is a vein of shrewd irony, a lively, familiar, conversational pleasantry running through all his speeches. *Garrit aniles ex re fabellas.* His eloquence is certainly the most *naïve*, the most unpremeditated, the most gay and heedless, that can be imagined. He was really and naturally what Courteney (afterwards) only pretended to be.

On the Motion for an Address.

He argued against the motion, and said, let us fairly examine the conduct of ministers.—About the latter end of May, or the beginning of June, they were acquainted with the fate of Falkland Island. At that time they learned that the governor of Buenos

* I am sorry that I can give no account of this celebrated character. Indeed, I have to apologize to the reader for the frequent defects and chasms in the biographical part of the work. I have looked carefully into the dictionaries, but unless a man happens to have been a non-conformist divine in the last century, a chymist, or the maker of a new spelling and pronouncing dictionary, his name is hardly sure of obtaining a place in these learned compilations. The writers seem, by a natural sympathy, more anxious to bring obscure merit into notice, than to gratify the idle curiosity of the public respecting characters on which a dazzling splendor has been shed, by the accidental circumstances of situation, by superficial accomplishments, and shewy talents. In giving the history of illustrious statesmen or politicians, they are very uncertain helps; but if any one had to make out a list of antiquarians, school-masters, or conjurors, he would find them complete for his purpose. The Barres, the Grenvilles, and the Townshends, are forgotten; while the Dyches, the Fennings, the Lillys, and the Laxtons, vie with the heroes and sages of antiquity, in these motley lists of fame, which like death, level all ranks, and confound all distinctions.

Ayres had sent a frigate or two, to warn our troops to quit the island: that our commanding officer had threatened to fire upon them if they would not depart; that the Spaniards, in consequence, declared their resolution of employing force; and that there was no doubt they would put their threat into execution. Where their pride is concerned, the Spaniards are tenacious of their words; and it could not be supposed that the governor of Buenos Ayres would, in this case, belie the character of his nation. But who is the governor of Buenos Ayres, this mighty potentate, against whom the king of Great Britain is going to draw his sword? I will tell the house. When at Gibraltar in an inferior situation, I confess, I happened in an excursion to meet this governor, this Don Francisco de Buccarelli, whom our ministers consider as so great and formidable. For a Spaniard, he was not a bad companion; but I do not believe he had at that time the most distant hope of ever entering into a competition with the king of Great Britain. But our ministers were made for rendering absurdity fashionable. As they have for these two years degraded their royal master by a quarrel with a wretched libeller, so now they commit his dignity in a contest with a little Spanish officer. The terrible foes that rouse his vengeance are John Wilkes, and my old friend Buccarelli. How much more honourable would it have been to have at once considered the king of Spain as the aggressor, as the delinquent! It is evident, from the coolness and deliberation with which Buccarelli acted, that he had acted under the authority, and by the express command of the king of Spain. If he had not, he would have, ere now, forfeited his head. Why, then, did not our ministers, upon the first intelligence, deem this act of hostility the most explicit and effectual declaration of war? Why did they not immediately arm the nation, and prepare for striking as decisive a blow as that which secured us the superiority last war? This step would have brought into our ports their ships and sailors, and effec-

tually ruined their marine. Of this truth no person of common sense can entertain the least doubt. Instead of adopting this vigorous measure, they let the affair sleep for three or four months, as if time had no wings. And, when at last waked out of their lethargy, what have they done? What harbours have they improved? What forts have they repaired? What cities have they fortified? Have they strengthened the lines at Quebec? Have they secured that spot, which, if taken by the enemy, will ruin our fishery, if it is not already ruined by their indolence, timidity, or ignorance? Have you taken any measures for defending those sugar islands, which, from their situation, are exposed to the insults of the enemy? What precaution have you taken for the safety of Minorca? I know, that when the troops from Ireland arrive, the garrison will consist of nine battalions. But whoever told you this number would be sufficient, knows nothing of the service. I am confident, that every officer of judgment and experience will coincide with me in opinion. You see, then, where you are vulnerable. More instances might be pointed out, but that were impiety. I should hold myself inexcusable, for what I have already said, were I not sensible that our enemies know them as well as we do. Such, then, is the situation of this country, to which our minister, in the course of the last sessions, promised a ten years peace. I stood up in my place, and ventured to call this prophecy in question; I gave my reasons; but they were called the suggestions of faction. The minister trusting to his own sagacity and foresight, paid no regard to the forebodings of the gallant admiral who now sits at the head of the marine department. That illustrious seaman, than whom I know not a better officer, nor a more excellent citizen, declared, that whoever occupied next year the place then held by him, would be forced to call for an augmentation of six thousand sailors. These words shew that I was not singular in my opinion, and that other respectable persons felt the approach of a war. I know not what the opinion

of the minister may be, but I still continue the same. I smell war; a calamity which might have been easily prevented, had our negociators acted with spirit and resolution in the affair of Corsica. I happened then to be at Paris; and can with the greatest truth affirm, that the French would have deemed your interposition the part of a friend. Tired and exhausted with such an effusion of blood and treasure, they would have thanked you for any honourable pretence to withdraw from that scene of so many disasters. But you acted then like poltrons, and poltrons always bring upon themselves a succession of insults. And now, that like bullies, you hector, and bluster, and run swaggering about, what will you do? Where is there a man among you who can make the proper arrangements for war? Whom will you appoint commander in chief? He, alas! who could fill that office with dignity and ability, is no more; and no friend of Britain will refuse his memory a tear; for when shall we see his like again! Regardless of money, and studious only of true glory, he sought the applause and affection of his country, and he acquired it by his courage, which was of the most ardent and decisive kind, and covered him with laurel, so much the more honourable, that he did not employ the weight and authority thence derived to his own private emolument, but for the public good. Such virtue, rare at any time, was to be doubly prized in such an age as this. Such talents might have given life and vigour to our military councils. But snatched away when we most needed his heart and his hand, he is, alas! no more.* It is however some consolation under this distress, that we have such an able secretary at war. His superior talents will make us amends for the loss of so great a character. That clearness for which his dispatches are so remarkable, is a sufficient earnest of his future atchievements. In the last war, some of his letters to the governor of Gibraltar were, if I remember right, unintelligible; some were

* He here alludes, I suppose, to Wolfe.

contradictory, and all confused and perplexed. Hence the loss of Minorca. If his head produced such effects when he acted only an under part, what may we expect from it, where he is the supreme director? It is not that the noble lord cannot write with sufficient perspicuity, where the question is to destroy his majesty's subjects. There I confess the power of his eloquence—there he is quite intelligible—there he can inspire the soldiers with alacrity.—I wish the ministry joy of such a superintendant of the military department, but I am sorry I cannot pay my country the same compliment.

FREDERICK, LORD NORTH,

(Afterwards Earl of Guildford,)

Was born in 1732. He succeeded Mr. C. Townshend as chancellor of the exchequer, and in 1770 was made first lord of the treasury, in which situation he continued till the close of the American war. He died in 1792. His speeches are in general, like the following, short, shrewd, and lively, and quite free from the affectation of oratory. He spoke like a gentleman, like a man of sense and business, who had to explain himself on certain points of moment to the country, and who in doing this did not think that his first object was to shew how well he could play the orator by the hour. The following masterly character is given of him by Burke. "He was a man of admirable parts; of general knowledge; of a versatile understanding, fitted for every sort of business; of infinite wit and pleasantry; of a delightful temper; and with a mind most perfectly disinterested. But it would be only to degrade myself by a weak adulation, and not to honour the memory of a great man, to deny that he wanted something of the vigilance and spirit of command that the time required."

On the same Subject.

Lord North said, that no amendment being proposed to the address, he concluded it had no imperfection. But though no objection is made to the address, occasion

has been taken from the words of the speech, to arraign the general conduct of the ministry. It is insinuated, that their measures have raised such discontents and incurable jealousies among the people, that the king must go to war with only half his subjects. I wish the gentlemen had been a little more cautious and moderate in their expressions. Is it credible, that on account of any political squabble among ourselves, the people will abandon their lawful sovereign? But, say you, who can second the operations of those who have degraded their sovereign, by a pitiful contest with the governor of Buenos Ayres? In answer to this, you will allow me to observe, that the intrinsic value of Falkland Island could not be deemed a sufficient cause of war, and that it was therefore a proper object of negociation. This, which cannot be denied, being granted, what could be more prudent, than to leave an opening for accommodation, by allowing the king of Spain to avow or disavow, as he thought proper, the act of the governor of Buenos Ayres? Indeed, if Britain had thrown herself into the arms of France, as a mediator, there would have been some ground of cavil. But where has the gentleman picked up his intelligence? He says, that more knowledge of the actual state of affairs may be gathered from a common newspaper, than from the king's speech. May I presume to assert, that he must have owed this anecdote to these oracles of truth. I think I may, without vanity, pretend to as much knowledge of the matter as the honourable gentleman, and yet, I protest, the affair is an entire secret to me.—Great Britain has not employed France as a mediator, for she has no need of a mediator. But we have not secured all the British possessions from danger, and provided against every sudden blow from the enemy? It may be so.—For what wisdom can, with so few troops, render us every where invulnerable? The hon. gentleman who made this objection, could not, I believe, with all his sagacity and military talents, succeed in such an arduous task. Here, therefore, he is as unfor-

tunate, as in his attack upon the imaginary prophecy, concerning the duration of peace, which he attributes to me. I made no such prophecy. I only said, that such and such advantages would accrue to Great Britain, if the peace lasted ten years. I ventured, on the strength of calculation, to specify the quantity of the national debt, which would in that time be paid off.

COLONEL BARRE,

In Answer to Lord North,

Said, the minister has thought proper to disclaim the prophecy of a ten years' peace. I am not surprised at it. Nor will I be so ungenerous to add to the catalogue of his transgressions, a false charge. The real sins for which he has to answer are so many, that were I an enemy, I could not wish for the least exaggeration. For this reason, and for the honour of my own character, he may be assured that I will never quote his oracular sayings, his gospel, except where I am sure of the text. Will he then believe me, when I tell him, that I took down his words! Here they are without any marks of forgery, and with all the visible characters of authenticity. Have we here no antiquarian to be consulted? Shall I then send for my ink-merchant, to determine the point, by the colour of his own manufacture? Or will the noble lord trust to my honour? I hope he is a man of honour.

MR. BURKE,

Was born at Dublin, January 1, 1730. His father was a respectable attorney, and a Protestant. He received his school education under Abraham Shackleton, a Quaker; and whenever Mr. Burke afterwards visited Ireland, he always went to see his old tutor. In 1746, he entered as a scholar at Trinity College, which he left, after taking his bachelor's degree, in 1749. Not long after, he became candidate for the professorship of logic, at Glasgow, but did not succeed. In 1753, he entered himself of the Inner Temple, but he did not apply very closely to the study of the law, and supported himself by writing for the booksellers. In 1756, he published his Vindication of Natural Society, and in 1757, his Essay on the Sublime and Beautiful. He was first brought into parliament for the borough of Wendover, by the interest of lord Rockingham, to whom he had been private secretary. He soon after published his Thoughts on the Causes of the Present Discontents. In 1774, he was invited by the citizens of Bristol to become one of their representatives; but at the next election, he was rejected by them, for having supported the free trade of Ireland and the Catholic claims, and was returned for Malton, in Yorkshire. The rest of his political life is too well known to need recapitulating here. The part he took against the French revolution was the most important and memorable event of his life. He withdrew from parliament in 1794, leaving his seat for Malton to his son, who died shortly after. This hastened his death, which happened in July, 1797. The best character of him, and perhaps the finest that ever was drawn of any man, is that by Goldsmith, in his poem of Retaliation.

On the State of the Criminal Laws of the Kingdom.

He observed, there was reason sufficient for either abolishing, or regulating the power:* but in defence of it, it has been said, there is no complaint of any late abuse of it. This, said he, I flatly deny. The power has been egregiously abused in the case of John Almon. Why was he singled out and persecuted before the rest

* Of punishing for libels.

of his brethren? He, whose guilt, if any, was only nominal?—Why was not the original publisher, and others, who had no excuse to alledge, first brought to justice? Here, I believe, every man discovers malice. Mr. Almon had been active in promoting measures not very agreeable to the ministry. He had published certain journals, which contained anecdotes that some people, high in office and power, could wish to have buried in eternal oblivion. It was resolved to punish him for these acts of temerity. Hold was therefore laid of this slender twig. But what ensued? The court dare not make use of the strange verdict procured against him. The only cause which the attorney-general has been able to carry against libellers, he cannot turn to any account. In the late reign, no mortifying repulses were received from juries, even when a dangerous rebellion raged in the very heart of the realm. Government was sufficiently respected to maintain its authority. Shebbear was, without any difficulty, punished with imprisonment and pillory; and many other delinquents.

Even so lately as the beginning of his present majesty's reign, before the minds of men were soured by the interposition of undue influence, the laws had not lost their force. The forty-fifth number of the North-Briton, that poor milk-and-water paper, is an undeniable proof. What then has wrought so sudden a change in the temper and disposition of the people, that they now countenance the most audacious and wicked libels? Are the courts of justice depraved and impure, and do they, out of spite and malice, contradict and oppose them? Where shall we look for the origin of this relaxation of the laws, and of all government? How comes this Junius to have broke through the cobweb of the law, and to range uncontroled, unpunished, through the land? The myrmidons of the court have been long, and are still pursuing him in vain. They will not spend their time upon you or me. No; they disdain such vermin, when the mighty boar of the forest has

broke through all their toils—is before them. But what will their efforts avail? No sooner has he wounded one than he lays another dead at his feet. For my part, when I saw his attack upon the king, I own my blood run cold: I thought he had ventured too far, and that there was an end of his triumphs. Not that he has not asserted many truths. Yes, sir, there are in that composition many bold truths, by which a wise prince might profit. It was the rancour and venom with which I was struck. In these respects, the North Briton is as much inferior to him, as in strength, and wit, and judgment. But while I expected from this daring flight his final ruin and fall, behold him still rising higher, and coming down souse upon both houses of parliament. Yes, he did make you his quarry, and you still bleed from the wounds of his talons. You crouched, and still crouch, beneath his rage. Nor has he dreaded the terrors of your brow.* Sir, he has attacked even you—he has—and I believe you have no reason to triumph in the encounter. In short, after carrying away our royal eagle in his pounces, and dashing him against a rock, he has laid you prostrate. King, lords, and commons, are but the sport of his fury. Were he a member of this house, what might not be expected from his knowledge, his firmness, and integrity! He would be easily known by his contempt of all danger, by his penetration, by his vigour. Nothing would escape his vigilance and activity. Bad ministers could conceal nothing from his sagacity; nor could promises or threats induce him to conceal any thing from the public. What is the cause of this general aversion to law, this universal conspiracy against government? It does not arise from the natural depravity of the people, nor from the accidental misbehaviour of our courts at law. The whole is chargeable upon administration.

* Sir Fletcher Norton, the Speaker, was remarkable for his large, overhanging eye-brows.

The ministers are the grand criminals. It is their malversation and unconstitutional encroachments that have roused up in the nation this spirit of opposition, which tramples under foot all law, order, and decorum. Till they are removed and punished, the kingdom will be a scene of anarchy and confusion.

The HONOURABLE C. J. FOX,

Was born Jan. 13, 1748 He was educated first at Eton, and afterwards at Hertford College, Oxford. He was returned to Parliament for Midhurst in 1768. He was at first on the side of ministry, but declared himself on the side of opposition on the dispute with America. He became secretary for foreign affairs in 1782, and again in 1806, when it was too late for his country and himself. He died September, 1806. Of this great man I shall speak more at large when I come to his later speeches. The following boyish rhapsody, on a question relating to the Lowther estate, is remarkable only for its contrast to the speeches which he made afterwards....for its affectation and bluster, and imbecility. It may be easily believed, as is reported of him, that at the time he made this and other speeches like it, he wore red heels and blue powder, and was distinguished as the greatest coxcomb in Europe. He was not then the same figure that I afterwards beheld in the Louvre, with hairs grown grey in the service of the public, with a face pale and furrowed with thought, doing honour to the English character as its best representative, conciliating by his frank, simple, unaffected manners, the affection and esteem of strangers, and wandering carelessly and unconsciously among those courts and palaces, whose profound policy and deep-laid machinations he alone, by his wisdom and the generous openness of his nature, was able to resist. His first acquaintance with Burke seems to have been the æra of his manhood; or rather, it was then that he first learned to know himself, and found his true level. A man in himself is always the same, though he may not always appear to be so.

I TAKE great shame to myself, that I have not risen sooner to declare my sentiments on this important ques-

tion; for I think it disgraceful in any man to sit silent on such an occasion, who ever had the use or faculty of speaking in this house: but, sir, my silence was owing to my astonishment; I was confounded! I was amazed! for though I saw this bill at first in the same light in which I behold it now; yet, when I looked round me, and saw who the honourable gentlemen are who introduced it; that they are men of character, men of abilities, men of knowledge, men of reputed integrity; I hesitated, I strove to persuade myself, that I must rather be mistaken myself, than that any thing so bad, so violent, so lawless, so monstrous, could be advanced by such men as those who proposed this bill. But I could not long remain undecided; I soon beheld the proposition in all its naked genuine deformity: then, sir, as I was at first struck dumb with astonishment, I was seized with horror and indignation. Who, sir, that has a conscience to revere justice, a sense of liberty, or a regard for the constitution, can listen, without feeling an honest zeal to defeat a proposition, which, at one blow, destroys our constitution, our liberty, and our laws? Gentlemen are loud in their clamours against ministerial influence. I avow the systematic support of that minister, in all his measures, who has my good opinion and confidence; but that minister shall never have my assistance and support, who dares to propose what these gentlemen, who are so proud of their opposition to ministers, now propose. Mr. Speaker, it is under the law that every man holds his property, and enjoys his liberty in security and ease

But I firmly believe, as far as I am informed, that no man can have a better title to his estate, than the very title which the crown has vested in Sir James Lowther to the estate in question. If that title is to be taken away by act of parliament, why not bring an act to take any other part of his estate? Why not of another man's? For, if bills are thus to pass for transferring the property of one man to another, there can be no

thing sacred, nothing secure amongst us. I wish therefore, sir, the gentlemen who brought in this bill would, for their honour's sake, withdraw it. As to myself, the same conscience which dictates my present opposition, shall carry me on to oppose the bill in every step, through every stage. But if it succeeds here, it cannot succeed elsewhere. I do therefore again deprecate the honour and justice of this house, that we may not suffer the scandal of passing this bill to lie at our doors, and give the honour of rejecting it to the other house of parliament.

SIR W. MEREDITH.

This speech discovers true zeal and earnestness. It seems to belong to an earlier period of our history.

On the Lord Mayor and Alderman Oliver being committed to the Tower.

I FIND myself under a great difficulty, either to agree to this amendment, or to differ from it: for, by agreeing to a censure, I may seem to adopt an opinion of the worthy alderman's guilt, which I have no right to entertain. Did I ever think him guilty, I durst not condemn him unheard. As a judge, I am bound to think the man whom I try innocent, till he has been fairly heard, and till his guilt results out of conviction. It is speaking too well of this proceeding to say, that this magistrate was not allowed counsel. He was allowed counsel, so far as to let us see the faces of counsel at the bar; but clogged with a condition that gagged their mouths from speaking what was necessary for their

client's defence. It is an aggravation of injustice, to commit it under a false colour and insidious affectation of justice. The honourable gentleman must therefore pardon me, if I cannot vote for his amendment as a measure of kindness to Mr. Oliver; for if you, Mr. Speaker, are ordered to reprimand that gentleman, we all know your ability to do it to some purpose: nor can human nature be exposed to a more humiliating state, or to sharper feelings, than by submitting to such a reprimand as you will give. But in going to the Tower, there is nothing to afflict him; on the contrary he will carry in his own bosom the blessings of a good conscience, and be followed by the general applause of his fellow citizens, whilst his judges and prosecutors will be pursued by the curses of the people, scorned by those who hate, and pitied by those who think moderately of them. But if there was no reason for this amendment, I should think, sir, the feelings of gentlemen would incline them to adopt it, merely to get rid of a matter, of which we are all so sick and weary. I consent to it for the sake of peace, even at the expence of justice. With this view to peace, I have opposed every part of this wretched business, in every stage. They who now differ, may live to applaud me for it. I see that many gentlemen of the highest rank and character, some of whom, by their doubts gave a sanction, and others who added vigour and impulse to this prosecution, are now withdrawn. Several gentlemen who uniformly opposed this motion have turned their backs upon the house, with many bitter expressions of the indignation which they felt. With what temper and opinion I may ever return to this unpleasant seat, I know not; but I will not leave it, as long as there is a twig to catch at, by which I can hope to keep the peace of this unfortunate country. Mr. Speaker, it is natural for men to complain of what they hear from the report of others; but it is what they see and feel that provokes them to action. Here then lies the difference betwixt commitment and reprimand. The

people without doors will only hear the one—they will see the other; and every hour of his imprisonment will add fresh discontent to their minds, and raise some new spirit of commotion. We have now sat many hours past midnight; the day light is advancing upon us: let not the sun rise upon our shame! But let us close this miserable scene under the cover of the darkness which suits with it, and under the shelter of our own walls.

Strongly as I think the public ought to know what passes here, I wish to God I could bind you, myself, the whole house, with every clerk, sergeant, messenger, and attendant, to secrecy on this occasion. But that would be impossible. Still, sir, may a great deal of mischief be avoided, if we keep ourselves to ourselves; if we do not send our judgment to be executed abroad, to create riot, tumult, and sedition. Most sincerely, therefore, do I call upon the noble lord who sits on the treasury bench; he has neither my ill thoughts, nor my ill wishes; and, if his lordship is truly spoken of, he can never approve of this business. Let him then permit me to conjure him for his own honour, for the ease and dignity of his sovereign, and above all, for his country's peace, to lay hold on the opportunity given by the worthy general, to close this scene of mischief here.

The main object of those who are charged with the cares of government, is peace. Great kings, and wise ministers, have thought it not beneath them to give up points of the greatest moment for the sake of peace. Ministers must govern accidents, not be governed by them. But when ministers themselves endanger public peace for trifles, and raise discord out of atoms, then is government itself in a state of anarchy.

The storm that now hangs over us was raised by government; and whatever consequences may follow, they who began, and who have countenanced this proceeding, are answerable to their king, their country, and their God.

MR. SAWBRIDGE.

Junius praises this city orator and patriot for his republican firmness. If he is to be taken as a model of the republican character, he does not, in my opinion, reflect much credit on it. In the following speech there is much impudent effrontery. This character, I know not how, unfortunately sprung up in the beginning of the present reign.

His Speech on moving for Leave to bring in a Bill to shorten the Duration of Parliaments.

Mr. Speaker,

The motion I am now going to make is precisely the same as that which I made in this house last year. My own want of health, and some other reasons, delayed it so late in the season last year, that I was constrained to make it in a very thin house. To prevent a similar situation this year, I took the liberty to desire a call of the house, notwithstanding which call, I am concerned to see a question of such national importance so poorly attended by the members. I can pretty well understand the meaning of this inattention; the ministerial gentlemen, who are liberally paid for opposing every measure that would be beneficial to the people, think it sufficient (because it will earn their wages) if they come here soon enough to give their votes against it. I will not, sir, take up your time by apologies for my own inadequate abilities; let those that have greater, apologize that such a task is left to me; however, I will lessen that objection, by stating what I have to say as concisely as possible.

That legal, equal, and free system of government, which is either our constitution or its foundation, was first introduced into this kingdom by the Saxons. It was a leading principle with them, that whenever an officer who was intrusted with power, could, by the abuse of that power, prejudice the people, that officer was elective; and those elections were at least annual, if not more frequent.

When the heptarchy was reduced to a monarchy under Alfred, all the Saxon laws and customs were recognized, and an act was made, that a parliament should be held twice a-year at least. In the time of Edgar the same statute was re-enacted; and this system was religiously adhered to till the Norman conquest. At that period a violent shock was given to our excellent constitution. That legal, equal, and free form of government, which had been enjoyed in this nation for five hundred years, gave place to a monarchical tyranny. The common law of England was in part abolished, and the civil law, which had prevailed in Normandy, introduced in a great measure in its stead. From this time all was a scene of confusion; perpetual civil wars between king and people; the kings endeavouring to establish an absolute power, and the people to restore their laws and liberty. In these contests the people almost always prevailed; in consequence of which, the kings as often engaged solemnly to restore the ancient constitution: these solemn engagements they never, but as far as they were compelled, observed. At length, the people, wearied out by royal treachery, and not choosing any longer to trust these kingly promises, compelled king John, whom they had in their power, to sign the great charter. In that charter it is stipulated that parliament shall be restored. And accordingly, (king John dying immediately after this stipulation) a parliament was called under his successor; but no truly constitutional parliament was held till the reign of Edward the Third. In his reign an act was passed, that a parliament should be held once

a year, or oftener, if necessary. That king reigned fifty years, and we have an account of forty-four parliaments during that period; so that it does not appear, that he himself kept strictly his own law of holding a parliament once a-year; however, this we are sure, that no parliament continued longer than one year. We do not meet with any long parliaments till the reign of Henry VIII. That king, I believe, even in these times, and even by this house of commons, will be allowed to have been a tyrant.

Having attempted many wicked measures, which he could not carry to the utmost of his wishes with parliament, he determined to try what he could do without parliament; and for that reason, during some years of his reign, he called no parliament. At length, however, having more schemes against the constitution, to which he thought it advisable to give the colour of law, he employed his ministers and creatures to attempt to get a parliament returned, which would be entirely subservient to his will. In this his success was equal to his most sanguine wishes; for to that parliament were returned a great number of the king's friends. By means of these friends, finding himself able to carry his worst purposes, he was in no hurry to part with such a parliament; he therefore continued them by prorogation seven years; till at length they, either ashamed of what they had done, or afraid of what they might suffer, did themselves petition to be dissolved. Such was the honourable example of the first septennial parliament, which was ready to approve and sanctify any bloody or detestable act of this flagitious tyrant. The next parliament which sat for any considerable length of time, was that in the reign of Charles I. and the next was the long parliament, under Charles II. which (before men had seen the present) was, by way of distinction, reproachfully called the Pensioned Parliament. It is notorious of this parliament, that whenever any scandalous royal measure had been carried in that house of commons, the members

were invited to dinner, and found under their respective plates the sums which each man's prostitution was proportionably thought to deserve.

To remedy this evil of corruption, soon after the revolution a triennial bill was proposed. The measure frequently miscarried. It once passed both houses, but king William refused his assent: however, the patriots of those days were not easily discouraged; they were not dismayed by their defeats, but increased their ardour in proportion to the occasion for it; they persevered, and at length, in 1694, the triennial bill passed, and became a law. Against that law, however, some of the worthies of that age protested; and their protest was in the following words: We do dissent from this vote; because it tendeth to the continuance of the present parliament longer than, as we apprehend, is agreeable to the constitution of England.—Two years after the accession of the house of Hanover, the septennial bill passed. The best method of knowing the motives of those people who introduced and supported this measure, is to collect the arguments they used in its favour at the time the question was agitated. The only reason pretended was, that there had been a rebellion the year before, and that they were apprehensive, if the then parliament did not sit beyond its usual time, they should be frustrated in the great measure they had at heart, namely, the setting of the present family on the throne. I am in my own mind convinced, that the reason given was their true reason. I have so high an opinion of those men, that I cannot bring myself to think, that if they had foreseen the mischiefs consequent to that law, if they could have imagined the shameless corruption and prostitution which we see at this day, I cannot imagine they would ever have suffered, much less promoted, the fatal septennial bill. From that moment to this hour, a general system of corruption and venality has prevailed in this assembly; and men elected into this house no longer consider themselves as representatives of the people, but as persons

who have purchased a beneficial lease, which they are by all and by any means to turn most to their own advantage.

That this, sir, is our present situation, is abundantly proved by the experience of every day. Sir, you have silently heard in that chair more than one member of this house dare to assert, that their constituents have no right to instruct them, and that they do not think themselves under any obligations to obey the instructions of those who sent them hither. Sir, if any further argument was wanting to justify my motion for leave to bring in a bill to shorten the duration of parliament, his majesty himself has been most graciously pleased to furnish the strongest in its favour; I mean the answer which he has been advised to give to the petition of sixty thousand electors of England, who have petitioned him for a dissolution of parliament. Their petitions, sir, set forth, that this house of commons has violated the right of election, and that their constituents have no further confidence in them, but disclaim both them and their proceedings. To all these petitions, except one, his majesty has been silent, disdaining even an answer to his subjects: to one of them, indeed, he was constrained to reply; and therefore his answer to the city of London must be considered as the answer to them all. He tells them, mocking their dutiful expressions, that he should ill discharge his duty as a father to his people, if he made so unconstitutional a use of his prerogative as to grant their humble request. Now, sir, at the same time that his majesty is advised to think it an unconstitutional use of his prerogative to dissolve this parliament at the request of the electors, who state that they are not their representatives, I shall take leave to tell you what his majesty has been advised to think are constitutional and proper uses of his prerogative. It is a constitutional use, it seems, of his prerogative, to issue an illegal proclamation. It is a constitutional use of his prerogative, to grant a *noli prosequi*, when a grand jury finds bills of

indictment for breaches of the peace. It is a constitutional use of his prerogative, to appoint to offices of great public trust popish recusants incapacitated by law. It is a constitutional use of his prerogative, to direct his troops wantonly to butcher his helpless, unarmed subjects; to support, defend, and reward such as were most active in that butchery; and to return formal public thanks to them all, for their alacrity in destroying those by whose honest industry both he and they are fed. It is a constitutional and an honest use of his prerogative, to order for execution misguided poor men, who were convicted upon a surreptitious rider of an unreasonable penal statute, notwithstanding the whole court before whom they were tried joined in representing to him that they did not believe the parties guilty, and recommended them as proper objects of mercy. It is a constitutional use of his prerogative, to pardon malefactors convicted on the common law of England of the most atrocious and aggravated murders, notwithstanding the judges before whom they were tried represented to him, that they were convicted by the clearest evidence, and were by no means proper objects of his royal mercy. It is a constitutional use of his prerogative, to prorogue a parliament in a sister kingdom, when regulations were to be made, without which their manufactures could not be carried on, and when none of the private business for the advantage of the country was finished, merely because they acted as real representatives of the people, and would not lend themselves to support the pernicious measures of the crown. It is a constitutional use of his prerogative, to dissolve the American assemblies (though not requested by the electors) because they would insist on preserving the rights of their constituents, and would not become the creatures of the royal governors. Such, and many more such, are the uses which his majesty has been persuaded to make of his prerogative. Both the uses which he has made, and the uses which he has not made of his prerogative, added

to the abuses of parliament, are incontestible reasons for my motion. This, sir, is all that I shall at present say upon the question: if any objection shall be made, or argument urged against it, I will answer them as well as I am able. I will not therefore now take up more of your time, but conclude with a motion, that leave be given to bring in a bill to shorten the present duration of parliaments.

COLONEL (afterwards Gen.) BURGOYNE,

Was the natural son of lord Bingley. His defeat and capture by general Gates determined the issue of the contest with America. As a writer and a speaker, he had more success, though he aimed at more than he effected. His Heiress is a feeble, though a very elegant comedy; and in his speeches, which are modelled according to the rules of Cicero, his own abilities and his own modesty take up half of the paper, and the reader's attention is equally divided between the speaker and the subject. At the same time, if they were a little less affected, they would not be without merit.

Mr. Speaker,

I RISE in consequence of the notice I gave to the house, to make a motion of as serious importance, as, I believe, ever came under your consideration, to the interest and honour of the nation: to the interest of it, in as much as the influx of wealth from India makes a vital part of our existence; to the honour of it, in as much as the most atrocious abuses that ever stained the name of civil government, call for redress. For the substance of this motion I shall make no apology. I believe it to be reasonable; I know it to be parliamentary. If any excuse

is necessary for bringing it so late in the session, it is due from others, to whose situations, had they thought it expedient, it more naturally fell to take the lead. For my insufficiency to treat it as it deserves, to state this subject with that arrangement of matter, and that propriety of argument and inference, which would best justify the undertaking, I require more apology than words can express. For the patience of the house under these inabilities I shall want more than their candour, I shall want their favour, their indulgence, I might almost say, their prejudice. At the first step, and to remove at least any unfavourable impressions that may be conceived of me, I shall beg leave to state to the house the motives and principles upon which I act. At the opening of the session, I heard with satisfaction, and with gratitude, the attention of parliament directed from the throne to this great object. As the session advanced, I came every day to the house with expectation of seeing some *data* established, some premises laid for framing a great extensive political arrangement for India, coinciding and harmonizing, as far as might be, with the principles and spirit of this constitution; dispensing the blessings of well regulated government in those remote regions, and wealth and prosperity in Great Britain. I never conceived it possible, that parliament could be called upon by any men whatever, to apply a remedy, without any information of the disease; to pass an act upon divination; to give upon trust a vote of justice and regulation to the India directors, as we give a vote of credit to the crown, leaving them the judges of the exigency and the application. It would be disorderly to enter now into a discussion, or to give a prejudgment upon the bill, which is to be presented in the course of this day; but I will say, that any bill calculated upon the present narrow and rotten system of India government, must be probably a destructive measure, and at best a mere temporary expedient: a poor, paltry, wretched palliative

> " It will but skin and film the ulcerous part,
> While foul corruption, mining all beneath,
> Infects unseen."

Therefore, sir, when I heard notice given of bringing in this bill, and nothing else proposed, I considered the proceedings with astonishment; I listened to the comments that were made upon it in public, and applied to all quarters of the house, with indignation. Sir, I do not believe those comments were well founded; but I am ready to confess, that I think a dread of labour, a passive submission to difficulties, a spiritless acquiescence under evils that we all know, and that we all feel, are too much the characteristics and the reproach of the times. Supineness upon this occasion will confirm those disgraceful sentiments in the opinion of Europe. We shall not only be degraded as politicians, but as men. I do not assume more feeling than others; but in considering the numberless circumstances, too apparent I fear to the house, that disqualify me from stepping forward, I feel one qualification to encourage me: I stand separate and clear from every concern and interest in person and property that could be supposed to warp the mind from the pursuit of this great object. I think it incumbent upon me, in this stage of the business, to explain myself to the house, upon this point, in the clearest and most strenuous terms; and I pledge my veracity, my duty to the house, my fidelity to my country, every claim of honest fame, every sentiment that in every man's mind can constitute his idea of the term *honour*, that I act in this motion unconnected with any man whatever; unconcerned in every interest, regardless of every purpose that may arise from it, other than a fair, a free, a direct, an impartial, a temperate, but an effectual enquiry: to present to parliament a comprehensive view of the existence and extent of the evils under India government; and thereby to enable them in their deliberate wisdom to apply an effectual remedy. I have dwelt upon this subject, not only for my own sake, but for

the success of the motion; for if I can give to my conduct the fair mark and stamp of sincerity, I shall remove at least that coldness and backwardness towards the motion that might arise from a suspicion of the mover. Having cleared my ground thus far, I can proceed with more confidence to explain my purposes. I mean to move an enquiry into the nature, state, and condition of the India Company, and of the British affairs in India. By the first part of the motion, I mean to give powers to a committee to enquire into the constitution of the company; into the purposes for which it was framed, and the powers with which it was invested. I would then proceed to the management of those purposes and powers; see where there have been deviations; where there have been abuses; where the evils have unavoidably arisen from the latent errors in the constitution; where they have flowed from the casual misconduct of servants: and the enquiry will be thus naturally brought, by the last part of the motion, to a view of the present disorders, civil, military, moral, and political; that chaos, where every element and principle of government, and charters, and finances, and the rights of conquests, and the rights of subjects, and the different functions and interests of merchants, and statesmen, and lawyers, and kings, are huddled together in one promiscuous tumult and confusion, natural to the jarring operations of powers the most discordant and incompatible. To sift and examine these several materials, many of them excellent in themselves, and dangerous only by being confounded, will be the only means to enable the controling and creative power of legislature to new-model and arrange them, and to give them for the future permanent regulation and direction to their proper ends. It would be needless and unfair to enter into a further display of the apparent state of the company at present. Clouds and darkness rest upon some parts of it; upon others there is too much light. Gentlemen will be ready to ask me, do I mean hosti-

lity to the company? I disdain all ideas of hostility. I mean by investigation of facts, to discover the common danger, and the common interests of the company, and nation; to hold up the mirror of truth to the company, wherein they may see themselves and their affairs as they are, and judge in concert also with the nation, what measures of reformation will best enable them to fulfil the trust reposed in them: for I hold every trading company, and that of India in particular, to be trustees for the state, acting upon terms beneficial to themselves. As to the servants, I scorn the thought of proceeding upon a vindictive principle towards them. I believe many of them to be men of integrity; others have been led astray by such sort of temptation as human nature cannot resist. The greater part of the evils will be found to be deeply rooted in the constitution, which is framed to excite and give play to the vicious passions of men. I would not at the same time check my enquiry for fear of stumbling upon a criminal. Should such crimes appear as would make it a duty in parliament to take notice of them, chastisement will be justice, not hostility. I only mean, that chastisement is not the object of my intention. When means can be found to make the offence impracticable for the future, the example of the offender is unnecessary: therefore, sir, let errors, or let crimes, if such there are, sleep, where they can do so without infringement of our duty—with my consent let them sleep for ever—buried beyond the search of human eye, and overshadowed with the trophies of public services, or of private virtues. But, sir, I shall perhaps be told that the object and end of my enquiry is to throw the whole affairs of the company into the hands of the crown, from which the death-blow to the constitution is most to be apprehended: I have no such purpose. If legislature has not powers and wisdom so to model and regulate the sovereignty of the state of India, or so to delegate its powers as to prevent the influence of the crown in England, let it never be attempted. I will join issue with

the gentleman, who, upon a former occasion, asserted, that India and Great Britain had better be swallowed up in the sea, than liberty be endangered by any undue weight given to the crown, that might preponderate over the other branches of the state. Though a servant of the crown, I am not less a servant of the public: it is my confidence, and my happiness, that I serve a sovereign to whom I shall most effectually recommend myself by services to the public; but had it been otherwise, I trust I should be found to bear a heart devoted to this constitution, and capable of making any sacrifice to support it. I scorn therefore the thought of acting a part upon any undue principle. Let resolutions grow out of facts; let remedy spring from resolutions: I only contend, that if by some means sovereignty and law are not separated from trade, the words of the honourable gentleman, to whom I alluded before, will be a prophecy, and India and Great Britain will be sunk and overwhelmed, never to rise again. But charters, sir, I shall be told, are sacred things:—they are so; and to touch them with the hand of the crown, or any other single branch of the legislature, would be sacrilege. Charters are sacred; so are crowns; so is yet more sacred the religion of the country: but when, by a long series of abuses, the one is degenerated from her first beauty and simplicity, to the grossest bigotry and superstition; when the other, by a course of corruption, is perverted from the only principle upon which free government can exist, the good of the people—has any wise legislature, has this legislature, hesitated to apply a remedy? We sit here at this hour in the full enjoyment of our civil and religious liberties; happy examples of the powers, and of the rectitude of our ancestors, in reformation and revolution. Upon this principle therefore, and upon this alone, that an unprecedented concurrence of circumstances has produced an unprecedented exigency, would I apply the doctrine of the reformation, and the revolution to the India company's charters; and I would blend that

doctrine with every consideration of equity and compensation, to satisfy the interests of the parties concerned, while it applied to the common interests and common salvation of India and Great Britain.

Need I urge any farther excitements? The fate of a great portion of the globe—the fate of great states, in which your own existence is involved—the distresses of fifteen millions of people—the rights of humanity—are involved in this question. Good God! what a call! The native of Indostan, born a slave, his neck bent from the very cradle to the yoke, by birth, by education, by climate, by religion, a patient, submissive, willing subject to eastern despotism, first begins to feel, first shakes his chains, for the first time complains under the pre-eminence of British tyranny!

It only remains for me to state the sort of committee for which I wish. A committee of the whole house, with the business of the session which remains unfinished, could sit but seldom, and at this late season would be ineffectual. A select committee, I confess, has generally been the committee of the minister. Lists of names conveyed from the treasury have often had the fortune to be adopted by the majority.

Sir, I have not proposed this idea without thinking of that objection; but I do not believe it is intended to check this inquiry by such means. I have a further confidence. I do not believe they would succeed if they were tried. I shall therefore, sir, propose a committee of thirty-one, with a proportionable *quorum* to sit in the holidays; and should means be found to continue their operations during the summer, I do not believe there is a member who could be called to that committee, who would not forego all private avocations or conveniences for prosecuting that great essential public duty. I therefore move, that a committee be appointed to enquire into the nature, state, and condition of the East India Company, and of the British affairs in India.

That the committee do consist of thirty one members, to be chosen by ballot, &c. &c.

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MR. JENKINSON.

(The present Earl of Liverpool.)

"Servetur ad imum
"Qualis ab incœptu processerit, & sibi constet."

In Reply to Sir William Meredith's Motion on Articles of Subscription.

A CURSORY view of the times would convince any man of the hon. gentleman's mistake who spoke last, accusing Laud as the principal promoter of that farrago, as the gentleman was pleased to term it. (Here he referred to an act passed in the reign of Edward VI. and also quoted several particulars relative to professor Cheke, queen Elizabeth, and James I.) From the passages, sir, here alluded to, it is manifest, that what the honourable gentleman hath attributed to Laud, is the work of other hands. But granting it, sir, to be as the gentleman says; yet candour must allow, that Laud, with all his faults, was a very great man. With respect, sir, to the matter of subscription, I profess myself an advocate for the measure, a convert to its utility. I know, sir, with men of lively parts, and a brilliancy of genius, there is nothing so easy as to place an object in such a light, as that the bye-standers cannot refrain from beholding it with ridicule: I know, sir, that the hackneyed term *superstition* may be called in with great dexterity, as a bugbear to alarm weak minds, by suggesting groundless terrors; but surely, sir, this cannot be called a superstitious age—it is rather an age of scepticism; under the notion of religious liberty, the solemn truths of religion itself are treated with contempt, and sceptical infidelity abounds. Some men, sir, are for laying our youth under no restraint: others go farther; they argue for the natural excellence of the passions, and urge, that they should be left to indulge them at will. But, sir, if the passions are early felt, sad experience

proves that reason is a guest that takes not up her residence in our breasts, till a late, a very late period of life. One man, who calls himself a philosopher, hath contended, that man, as he comes into the world, should be left entirely to himself; at random to receive each impression from without, at random to follow each suggestion from within. I do confess, sir, I should have a great curiosity to try the experiment; but certain I am, a person trained in such a manner, would be a man quite unfit to live in society. This, sir, is the mode of education contended for by Rousseau, whom I always looked upon as an ingenious madman. With respect therefore, sir, to an exemption from human ties, in matters of religion, I am against it. So much depends upon the right education of youth, that every innovation on an established mode, which for ages had been found to answer the end, should be avoided. That the present mode adopted at our universities, has answered the end, the past and present experience may determine.

Whence the man, who explored the unfrequented paths of science, unlocked the secret stores of knowledge, and laid open the hidden treasures of learning and of wisdom? Whence, sir, Bacon?—From an university. Whence, sir, he, who by the surest geometric proofs, sought out the laws of matter and motion? Whence Newton?—From an university. On the other hand, whence all that scepticism, that froth of words, that puerile stuff, so much the taste of the present times? I will answer you, sir—not from an university; but from your Humes, your Bolingbrokes, your Rousseaus and others of this despicable tribe.*

Since then, sir, the custom of our universities, for ages, hath answered every end the state could require in the education of its youth, I am not for substituting another mode; I am not for making an innovation upon their establishment.

* Mr. Jenkinson here forgets his university trammels and runs out of the course. He transposes the question, and then produces a list of obnoxious names, some of which were from an university.

Nor is it, sir, an establishment peculiar to English universities; all foreign ones have their tests. At the university of Paris I know a test is established, and the members are required to testify their strict adherence to such doctrines as characterise the religion of the country. By the edict of Nantz, also, provision is made, that protestants, the dissenters of that country, shall nevertheless declare their assent to a certain prescribed form. What, therefore, hath been so universally adopted, I should suppose adopted because found to be of national utility; and I shall not, sir, give my vote for England to be exempt from what hath been found by foreigners necessary for the maintenance of the religion of the country: by consequence, I strenuously oppose the motion, and your quitting the chair.

LORD NORTH,

On the Petition presented against the Bill to remove the Board of Customs from the Town of Boston,

Said, however great his obligations were to the candour and public spirit of the honourable gentleman who made the motion, (Mr. Fuller,) yet he differed much from him in the amendment proposed. His lordship observed, that though the honourable gentleman had said it was the first offence, yet upon recollection he was very sure he would not be of that opinion, as the people at Boston had begun many years ago to endeavour to throw off all obedience to this country: that indeed this was the first time that parliament had proceeded to punish them. He said, I am by no means an enemy to lenient measures, but I find that resolutions of censure and warning will avail nothing; we must therefore proceed to some immediate remedy: now is our time to stand out, to defy them, to proceed with firmness, and without fear; that they would never reform until we

take a measure of this kind. Let this bill produce a conviction to all America that we are now in earnest, and that we will proceed with firmness and vigour; that conviction would be lost if they see us hesitating and doubting. That it would be enough to shew that Great Britain is in earnest. The merchandize now will be landed at Marble-head, in the port of Salem, which is putting Boston about seventeen miles from the sea with respect to foreign trade. This restriction will be continued as long as they persist in their proceedings; it will operate severely or mildly against them, according to their behaviour; if they are obstinate, the measure will be severe; if not, mild. He believed that Boston would not immediately submit to a fine, nor to the intention of the present bill, unless it came attended with a mark of resolution and firmness that we mean to punish them, and assert our right. It is impossible to suppose but some of our own people may in some degree suffer a little; but we must compare those temporary inconveniences with the loss of that country, and its due obedience to us: they bear no comparison; and the preference must certainly be given to the latter, and attended to. The honourable gentleman, he said, tells us, that the Americans will not pay their debts due to this country, unless we comply with their disposition. I believe, says his lordship, things will remain much in the same state as they did upon a like occasion. They threatened us with the same thing if we did not repeal the stamp act; we repealed that act, and they did not pay their debts. If this threat is yielded to, we may as well take no remedy at all. Their threats will hold equally good to the fine proposed by the honourable gentleman, as to the operation of this bill. I hope, adds his lordship, that we every one feel, that it is the common cause of us all; and such an unanimity will go half way to their obedience to this bill. The honourable gentleman tells us, that the act will be a waste piece of paper, and that an army will be required to put it in

execution. The good of this act is, that four or five frigates will do the business, without any military force: but if it is necessary, I should not hesitate a moment to enforce a due obedience to the laws of this country. The situation of the troops in that country has been such that no magistrate or civil officer of the peace has been willing to call forth their strength on proper occasions. It will become us to find out some method whereby the military force may act with effect, and without bloodshed, in endeavouring to support and maintain the authority of Great Britain: but I hope that this act will not, in any shape, require a military force to put it in execution. The rest of the colonies will not take fire at the proper punishment inflicted on those who have disobeyed your authority. We shall then be nearly in a situation that all lenient measures will be at an end if they do: but if we exert ourselves now with firmness and intrepidity, it is the more likely they will submit to our authority. If the consequences of their not obeying this act are likely to produce rebellion, that consequence belongs to them and not to us; it is not what we have brought on them, but what they alone have occasioned. We are only answerable that our measures are just and equitable. Let us continue to proceed with firmness, justice, and resolution; which, if pursued, will certainly produce that due obedience and respect to the laws of this country, and the security of the trade of its people, which I do ardently wish for.

COLONEL BARRE,

In Reply to Lord North, on his Majesty's Message.

I RISE with great unwillingness to oppose this measure in its very infancy, before its features are well formed, or to claim that attention which this house seems to bestow with so much reluctance on any arguments in behalf of America. But I must call you to witness, that I have been hitherto silent, or acquiescent, to an unexpected degree of moderation. While your proceedings, severe as they were, had the least colour of foundation in justice, I desisted from opposing them; nay more—though your bill for stopping up the port of Boston contained in it many things most cruel, unwarrantable, and unjust, yet as they were couched under those general principles of justice, retribution for injury, and compensation for loss sustained, I not only desisted from opposing, but assented to its passing. The bill was a bad way of doing what was right; but still it was doing what was right. I would not, therefore, by opposing it, seem to countenance those violences which had been committed abroad; and of which no man disapproves more than I do.

Upon the present question I am totally unprepared. The motion itself bears no sort of resemblance to what was formerly announced. The noble lord and his friends have had every advantage of preparation. They have reconnoitred the field, and chosen their ground. To attack them in these circumstances may, perhaps, savour more of the gallantry of a soldier, than of the wisdom of a senator. But, sir, the proposition is so glaring; so unprecedented in any former proceedings of par-

liament; so unwarranted by any delay, denial, or preservation of justice in America; so big with misery and oppression to that country, and with danger to this—that the first blush of it is sufficient to alarm and rouse me to opposition.

It is proposed to stigmatize a whole people as persecutors of innocence, and men incapable of doing justice; yet you have not a single fact on which to ground that imputation. I expected the noble lord would have supported this motion by producing instances of the officers of government in America having been prosecuted with unremitting vengeance, and brought to cruel and dishonourable deaths by the violence and injustice of American juries. But he has not produced one such instance; and I will tell you more, sir—he cannot produce one. The instances which have happened are directly in the teeth of his proposition. Colonel Preston, and the soldiers, who shed the blood of the people, were fairly tried, and fully acquitted. It was an American jury, a New England jury, a Boston jury, which tried and acquitted them. Colonel Preston has, under his hand, publicly declared, that the inhabitants of the very town in which their fellow citizens had been sacrificed, were his advocates and defenders. Is this the return you make them? Is this the encouragement you give them to persevere in so laudable a spirit of justice and moderation? When a commissioner of the customs, aided by a number of ruffians, assaulted the celebrated Mr. Otis in the midst of the town of Boston, and with the most barbarous violence almost murdered him, did the mob, which is said to rule that town, take vengeance on the perpetrators of this inhuman outrage, against a person who is supposed to be their demagogue? No, sir, the law tried them: the law gave heavy damages against them; which the irreparably injured Mr. Otis most generously forgave, upon an acknowledgment of the offence. Can you expect any more such instances of magnanimity under the principle of the bill now pro-

posed? But the noble lord says, "We must now shew the Americans that we will no longer sit quiet under their insults." Sir, I am sorry to say that this is declamation, unbecoming the character and place of him who utters it. In what moment have you been quiet? Has not your government for many years past been a series of irritating and offensive measures, without policy, principle, or moderation? Have not your troops and your ships made a vain and insulting parade in their streets and in their harbours? It has seemed to be your study to irritate and inflame them. You have stimulated discontent into disaffection, and you are now goading that disaffection into rebellion. Can you expect to be well informed when you listen only to partizans? Can you expect to do justice when you will not hear the accused?

Let us consider, sir, the precedents which are offered to warrant this proceeding—the suspension of the *habeas corpus* act in 1745—the making smugglers triable in Middlesex, and the Scotch rebels in England. Sir, the first was done upon the most pressing necessity, *flagrante bello*, with a dangerous rebellion in the very heart of the kingdom; the second, you well know, was warranted by the most evident facts; armed bodies of smugglers marched publicly, without presentment or molestation from the people of the county of Sussex, who, even to their magistrates, were notoriously connected with them. They murdered the officers of the revenue, engaged your troops, and openly violated the laws. Experience convinced you, that the juries of that, and of the counties similarly circumstanced, would never find such criminals guilty; and upon the conviction of this necessity you passed the act. The same necessity justified the trying Scotch rebels in England. Rebellion had raised its dangerous standard in Scotland, and the principles of it had so universally tainted that people, that it was manifestly in vain to expect justice from them against their countrymen. But in America, not a sin-

gle act of rebellion has been committed. Let the crown law officers, who sit by the noble lord, declare, if they can, that there is upon your table a single evidence of treason or rebellion in America. They know, sir, there is not one, and yet are proceeding as if there were a thousand.

Having thus proved, sir, that the proposed bill is without precedent to support, and without facts to warrant it, let us now view the consequences it is likely to produce. A soldier feels himself so much above the rest of mankind, that the strict hand of the civil power is necessary to control the haughtiness of disposition which such superiority inspires. You know, sir, what constant care is taken in this country to remind the military that they are under the restraint of the civil power. In America their superiority is felt still greater. Remove the check of the law, as this bill intends, and what insolence, what outrage may you not expect? Every passion that is pernicious to society will be let loose upon a people unaccustomed to licentiousness and intemperance. On the one hand will be a people who have been long complaining of oppression, and see in the soldiery those who are to enforce it upon them; on the other, an army studiously prepossessed with the idea of that people being rebellious, unawed by the apprehension of civil control, and actuated by that arbitrary spirit which prevails even amongst the best of troops.—In this situation the prudent officer will find it impossible to restrain his soldiers, or prevent that provocation which will rouse the tamest people to resistance. The inevitable consequence will be, that you will produce the rebellion you pretend to obviate.

I have been bred a soldier; having served long.—I respect the profession, and live in the strickest habits of friendship with a great many officers; but there is not a country gentleman of you all, who looks upon the army with a more jealous eye, or would the more strenuously resist the setting them above the control of the civil

power. No man is to be trusted in such a situation. It is not the fault of the soldier, but the vice of human nature, which, unbridled by law, becomes insolent and licentious, wantonly violates the peace of society, and tramples upon the rights of human kind.

With respect to those gentlemen who are destined to this service, they are much to be pitied. It is a service, which an officer of feeling and of worth must enter upon with infinite reluctance. A service, in which his only merit must be, *to bear much, and do little.* With the melancholy prospect before him of commencing a civil war, and embruing his hands in the blood of his fellow-subjects, his feelings, his life, his honour are hazarded, without a possibility of any equivalent or compensation. You may perhaps think a law, founded upon this motion, will be his protection. I am mistaken if it will. Who is to execute it? He must be a bold man indeed who makes the attempt: if the people are so exasperated, that it is unsafe to bring the man who has injured them to trial, let the governor who withdraws him from the justice look to himself. The people will not endure it: they would no longer deserve the reputation of being descended from the loins of Englishmen, if they did endure it.

When I stand up as an advocate for America, I feel myself the firmest friend of this country. We stand upon the commerce of America. Alienate your colonies, and you will subvert the foundation of your riches and your strength. Let the banners be once spread in America, and you are an undone people. You are urging this desperate, this destructive issue. You are urging it with such violence, and by measures tending so manifestly to that fatal point, that, but for that state of madness which only could inspire such an intention, it would appear to be your deliberate purpose. In assenting to your late bill I resisted the violence of America, at the hazard of my popularity there. I now resist your phrenzy, at the same risk here. You have changed your ground. You are becoming the aggressors, and offering the last of hu-

man outrages to the people of America, by subjecting them, in effect, to military execution. I know the vast superiority of your disciplined troops over the Provincials; but beware how you supply the want of discipline by desperation. Instead of sending them the olive branch, you have sent the naked sword. By the olive branch I mean a repeal of all the late laws, fruitless to you and oppressive to them.

Ask their aid in a constitutional manner, and they will give it to the utmost of their ability. They never yet refused it when properly required. Your journals bear the recorded acknowledgments of the zeal with which they have contributed to the general necessities of the state. What madness is it that prompts you to attempt obtaining that by force which you may more certainly procure by requisition? They may be flattered into any thing; but they are to much like yourselves to be driven. Have some indulgence for your own likeness; respect their sturdy English virtue; retract your odious exertions of authority, and remember, that the first step towards making them contribute to your wants, is to reconcile them to your government.

(It was observed that lord North trembled and faltered at every word of this motion.)

HON. TEMPLE LUTTRELL.

I have introduced the following Speech as an exquisite specimen of unaccountably absurd affectation.

On Mr. Buller's Motion that 2000 *additional Seamen be employed for the year* 1775, *to enforce the Measures of Government in America.*

I RISE up under a number of disadvantages, and shall scarce be able to express my sentiments without much agitation and embarrassment, a novice as I am at political disquisitions, and attempting (from a seat which

till this hour I might not call my own) to speak on a subject of such high import, in the presence, and possibly against the opinion of the most experienced statesmen in any country of the universe.—But, sir, it has been earnestly recommended to me, as well by the electors of the borough of which I have the honour to be a representative, as by several other persons of respectable consideration, that I will exert the utmost of my humble endeavours and faculties, towards the establishing of peace, and conciliating the affections of the American colonies with their parent-state of Great Britain, and to promote the joint happiness of both divisions of this mighty empire, on the firm basis of equality and mutual good offices: and I should hold it an unpardonable omission of duty were I to remain now silent, especially as I was precluded, by the dependence before parliament of a controverted return, from declaring my disposition towards the oppressed colonists, at the opening of the present sessions, when a speech from the throne of the most inimical tendency to America, and therefore the most alarming and dangerous tendency to the whole British realm, received the thanks of this house. I was under the same preclusion when commerce here stood a dejected supplicant, in just apprehension from the impending storm. Well, sir, might she be alarmed, to see a pilot at the helm, as the winds and the billows arise, who, rather than part with the guns throws the merchandize overboard: save them, sir, he may, by so costly a sacrifice, but not for jubilee or triumph; they shall be saved for signals of distress, and to solemnize the obsequies of your empire. The merchants were not then to be heard, lest their candid story should set in the proper point of view, those insidious fragments of official letters laid on your table. What human understanding could cement such a mangled correspondence together, so as to derive any clear accurate knowledge of the real condition or sentiments of the Americans? Whatsoever might extenuate offences, ex-

cuse error, and restore perfect amity between the two countries, did the partial hand of administration wickedly suppress; while in too glaring a light was exhibited every fact that could serve to widen the breach, and inflame the passions, and blow up a faint, luckless spark of animosity to the full combustion and horrors of a civil war! These misrepresentations, however, answered the ends proposed, for both houses were blindly entrapped to give their sanction to as sanguinary a scroll (in the form of an address) as was ever laid by a prostitute senate at the feet of deluded majesty.

Did not your ancestors, sir, manfully fight, did not some of them heroically fall, to preserve those constitutional rights of the subject to every Briton, which you have now by one vote pledged yourself, at the hazard of life and fortune, to subvert and to annihilate throughout the better part of the whole British monarchy?

I do not conceive it possible that any man here present can feel as he ought, be conscious of a participation in the superintendence of the common-wealth, and remain a mere tranquil observer when so weighty, so interesting a subject comes before you; a subject on the issue of which perhaps his own individual happiness or misery, doubtless the happiness or misery of his nearest posterity, will depend. With what hebitude, sir, must the blood circulate through his veins! What must his definition be of an ignominious supineness and apathy? This is not a debate of slow animation, in which few persons are concerned, and of limited influence; we are now to decide upon the fate of millions through a long series of ages, and the part which every man shall take on this occasion must stamp him with characters indelible through all eternity—a patriot or a parricide.

'Tis, sir, from the collisions of controversy that those radiant sparks are struck out by which truth lights her sacred torch—nor have I less expectation from those gentlemen who are but just initiated into parliamentary business, than from your veteran politicians, "deep on

whose front engraven (to use the phrase of Milton) deliberation sits and public care." Such veterans, might, indeed, be our surest judges, were we now about to agitate questions wrapt up in subdolous Machiavelian mystery, and only to be developed by the acutest abstract reasoning. The present juncture, sir, requires only a well principled heart, and a head moderately conversant with the nature of men and things. It is not, I own, I feel, given to a young member of this august assembly to deliver his ideas with that method, that guarded correctness, that unagitated confidence, which long habitude of speaking usually supplies; but will he, sir, yield with less ductility to the dictates and honest zeal of inward conscience? He comes among you at last with a judgment unbiassed: he has not pledged himself to any partial junto, whose maxims and interest he is at all events to adopt for the measure of his political career: he has not stood forth an accomplice to any of those manifold mischiefs and blunders which have heretofore been committed in the administration of your colonies: he has had no share in inflaming the evil by temporary anodynes; nor has he treated the imperial concerns of that wide-stretched continent as only accessary to, and of trivial account, when compared with his own private schemes of ambition and aggrandisement. Upon the whole, sir, I cannot but think him rather the more likely to execute the share of such important award committed to his discretion, as becomes an upright delegate of the people at large, heedless whether his conduct therein may quadrate with the narrow, selfish views of this or that set of men, who are candidates for titles or power: not but that I have the satisfaction to see here present some characters animated with true patriotic spirit, who have long and worthily been seated within these walls; on whose eminent talents, on whose approved integrity, America rests her best hope. Such gentlemen as come within the scope of any of those disadvantageous allusions I have just thrown out, will consider, that a well-

timed recession from error claims the next praise to a perfect exemption therefrom: they will no longer endeavour to palliate a dreadful disease, which, if once arrived at a full paroxysm, it will baffle the Esculapian skill of their expertest state-doctors to cope with.*

Our present sagacious rulers had, it seems, drawn their political clue in that quarter of the globe to so gordian a tie, that, despairing to revolve by patience and sober wisdom through the several implications their hands have wrought, they took a summary recourse to the edge of the sword.

Sir, their sword-law, will best agree with the arbitrary principles and system of government applied to almost every department of the state by that flagitious confederacy which hath latently presided over the councils and arcana of the cabinet ever since the accession of our present most gracious sovereign. I say, sir, that these occult dictators to the r——l conscience should prefer sword-law I am not at all astonished; but that the ostensible adviser, a man of profound judgment and the keenest penetration, a man whom the most slanderous of his enemies allow to possess the tenderest feelings of social affection, to be even prodigal of the practices as well as professions of humanity; that he, sir, should, with a ruthless composure, adopt and carry into execution their bloody mandates, may well create general consternation and the deepest concern. It was pronounced by a consummate minister, who once held the reins of government with so much honour to himself and transcendant glory to the whole empire of Britain, that the Canadian America was conquered in Germany. It is, it seems, by the German policy of dominion, which our own clan-bred feudists are ever prone to expose, that British America is to be reduced to vassalage: but let the all-potent minions beware, lest while they are bowing the stubborn necks of these colonists to the

* This is the very style of the most fantastical knight, Don Adriano de Armado.

yoke, they find not their own necks bow to the block of an executioner. Sir, the far more considerable part of the people of England do now wish us to use temper, moderation, and forbearance towards America, "*Dignos esse qui Romani fiant* (said the illustrious consul to the senate of certain tributaries in allegiance to the Roman eagles,) *eos, qui nihil præterquam de libertate cogitent.*"

Sir, when the two most renowned republics of ancient time had long contended for universal empire, and victory over many a well-fought field had held almost an equal balance, then it was that the rigid censor (M. Cato) denounced that memorable judgment, "*Delenda est Carthago.*" Sir, the Carthagenians were the natural rivals of the trade and glory of Rome; they had in cold blood inhumanly put to death one of the most perfect heroes and patriots her annals could boast: in their national character, they were perfidious to a proverb; and they early led their children to the altar to lisp assent to solemn adjuration of eternal warfare and vengeance against Rome. In short, sir, the further existence of these Africans was become quite incompatible with the peace and security of the Roman commonwealth. The words *Delenda est Carthago* were, in the reign of our Charles the Second, borrowed by a member of the other house of parliament, the famous earl of Shaftesbury, in height of passionate resentment against the Hollanders: but, sir, though the Hollanders had to the most substantial injuries added the provoking insult of sailing up to the emporium of your commerce, with brooms at their mast heads; though they had by many an inveterate combat on the ocean brought your marine power, and consequently our very being as a people, to as desperate a crisis as ever befel Rome during the rage of the punic wars, yet, sir, it is a well known anecdote of that day, there was scarce a peer in the assembly but stood aghast and shuddered at the unchristian severity of the sentence. *Delenda est Carthago* has been applied for a third time; it has, sir, been recently and publicly applied, by an avowed zealous partizan of the present administration

of your government, to our fellow subjects of America, and the news will, I fear, ere long reach your colonies. I am not master of language sufficient in energy to give the due comment to such an expression: but, sir, should it be here uttered in sobriety, and calmly listened to, might you not be apt to imagine yourselves seated midst the deputies of the Indian tribes, near the enterior lakes of that continent, and sacrificing to the demon of revenge, rather than with the deputies of the free, polished natives of the British isles, in their imperial seat of legislation?

I can indeed, easily conceive that the gentleman alluded to (Mr. Van) was rather more forward, rather more ingenious than the chieftains of his cause will thank him for: they hardly could mean that the final catastrophe of this their tragic plot should be discovered just at the opening of the very first act.

It was a noble sentiment of Fenelon (archbishop of Cambray) that "he loved his friend equal to himself; his country far better than his friend and himself; mankind in general beyond all put together."

What that amiable prelate makes Mentor say, on revealing a celestial form to the son of Ulysses (who had just attained to years of manhood) may afford an allegory to assist the British legislature at some future period, in the safest and sagest conduct towards her colonists. "I have guided you through rocks and quicksands, through the ensanguined battle, and the various calamities incident to the human species: I have taught you, through forcible experience, the good and the bad maxims by which government may be carried on. 'Tis now time that you be fully emancipated. Love your fellow creatures. Endeavour to renew the golden age. Avoid effeminacy, profuseness, and ostentation. Let simplicity be your best ornaments. On virtue and your own just actions rest your chief security. Pure liberty, peace, delightful abundance, and unsullied glory, ever attend you." I am sensible, sir, that I have too long withheld the attention of the house from persons of far

more weight, and superior abilities: I shall therefore at a future day hope for the same indulgence that has been now shewn me, while I urge, that to compel the Americans by a military force to acknowledge the paramount and unbounded authority of parliament in the taxation of their property, property created by their intellects and industry, is neither just, politic, nor practicable; a measure totally repugnant to the liberal notions of rectitude which have ever characterized the happy natives of England, and irreconcileable with the spirit of those very rules and institutes by which the three estates of this realm hold existence.

MR. WILKES,

(The Lord Mayor.)

This celebrated man was born in 1728. In 1761, he was elected member for Aylesbury, about which time he excited the indignation of ministry by publishing a periodical paper, called the North Briton, for the forty-fifth number of which he was apprehended by a general warrant. He was however liberated, and became the patriot of the day. He was soon after expelled the house for his Essay on Woman. He was repeatedly returned for Middlesex after this, but the election was always declared void, till 1774, when he took his seat without opposition. The following speech in his own defence contains the clearest, most logical, and best argued case, that has been made out on that side of the question. He takes the same ground, and often uses the same words as Junius, but I think he establishes his point more satisfactorily. He was a clear, correct, able, and eloquent speaker. His conversational talents were very brilliant. He was a very ugly and a very debauched man, but a great favourite with the women, whom he accordingly satirized without mercy. He died 1797.

THE motion which I shall have the honour of submitting to the house, affects, in my opinion, the very vitals of this constitution, the great primary sources of the power of the people, whom we represent, and by whose authority only, delegated to us for a time, we are a part of the legislative body of this kingdom. The proceedings of the last parliament in the business of the Mid-

dlesex elections, gave a just alarm to almost every elector in the nation. The fatal precedents then attempted to be established was considered as a direct attack on the inalienable rights of the people. The most respectable bodies in this kingdom expressed their abhorrence of the measure: they proceeded so far as to petition the crown for the dissolution of that parliament, as having been guilty of a flagrant abuse of their trust. Above 60,000 of our fellow subjects carried their complaints to the foot of the throne; a number surely deserving the highest regard from a minister, if his whole attention had not been engrossed by the small number of the 6000 who return the majority of members to this house. The people, sir, were in a ferment, which has not yet subsided. They made my cause their own, for they saw the powers of government exerted against the constitution, which was wounded through my sides; and the envenomed shafts of a wicked administration pointed at our laws and liberties, no less than at a hated individual. The plan was carried on for some years with a spirit of malevolence and rancour which would have disgraced the very worst, but with a perseverance which would have done honour to the best cause. I do not mean, sir, to go through the variety of persecutions and injuries which that person suffered, I hope, with a becoming fortitude. I have forgiven them. All the great powers of the state at one time appeared combined to pour their vengeance on me. Even imperial Jove pointed his thunder-bolts, red with uncommon wrath, at my devoted head. I was scorched, but not consumed. The broad shield of the law protected me. A generous public, and my noble friends, the freeholders of Middlesex, the ever steady friends of liberty and their country, poured balm into my wounds; they are healed. Scarcely a scar remains: but I feel, I deeply feel the wounds given to the constitution; they are still bleeding; this house only can heal them: they only can restore the constitution to its former state of purity, health, and vi-

gour. May I be permitted to point out the mode of the cure, and the salutary methods I think you ought to apply before I proceed to the remedy, I shall beg the indulgence of the house to state the case; and I hope they will forgive a dry but candid narrative of facts, because I mean to argue from them: I will give them as briefly as possible, and with all the impartiality of a bye-stander.

Mr. Wilkes was first elected for the county of Middlesex on the 28th of March, 1768. He was expelled the 3d of February, 1769, and the second time chosen, without opposition, the 16th day of the same month. On the day following, the election was vacated, and he was declared by a majority of the house incapable of being elected into that parliament. Notwithstanding this resolution of the house, he was a third time, on the 16th of March, elected without opposition; for I suppose the ridiculous attempt of a Mr. Dingley, who had not a single freeholder to propose or vote for him, can hardly be called an opposition. That election, however, was declared void the next day. On the 13th of April, Mr. Wilkes was a fourth time elected, by a majority of 1143 votes, against Mr. Luttrell, who had only 296. The same day, the house voted, "That Mr. Luttrell ought to have been returned." On the 29th of April, a petition was presented to the house, from the freeholders of Middlesex, by a worthy baronet, (Sir George Savile,) who is not only an honour to this house, but to human nature; notwithstanding which, the house, on the 8th of May, resolved, "That Henry Lawes Luttrell, Esq. is duly elected a knight of the shire, to serve in this present parliament, for the county of Middlesex."

These are the leading facts. I will not trouble the clerk, sir, to read all the resolutions to which I have alluded; they are most of them fresh in the memories of gentlemen; I only call for that of Feb. 17, 1769, respecting incapacity as the certain consequence of expulsion.

(The clerk read the resolution.)

Now, sir, I think it fair to state to the house the whole of what I intend to move in consequence of the facts I have stated, and the resolution just read. The first motion I intend is, that the resolution of this house of the 17th of February, 1769, "That John Wilkes, Esq. having been, in this session of parliament, expelled this house, was and is incapable of being elected a member to serve in this present parliament," be expunged from the journals of this house, as being subversive of the rights of the whole body of electors in this kingdom. This I hold of necessity to restore the constitution, which that resolution tears up by the roots; I shall then, if I succeed, if justice and reverence for the constitution prevail in this parliament, proceed to the other motion, "That all the declarations, orders, and resolutions of this house respecting the election of John Wilkes, Esq. for the county of Middlesex as a void election; the due and legal election of Henry Lawes Luttrel, Esq. into the last parliament, for the county of Middlesex; and the incapacity of John Wilkes, Esq. to be elected a member to serve in the said parliament, be expunged from the journals of this house, as being subversive of the rights of the whole body of electors of this kingdom."

The words of the resolution of the 17th of February, 1769, which I mean particularly, are, "*was* and *is* incapable," and the explanation of them the same day in the order for a new writ, "in the room of John Wilkes, Esq. who is adjudged incapable of being elected a member to serve in this present parliament." In the first formation of this government, in the original settlement of our constitution, the people expressly reserved to themselves a very considerable part of the legislative power, which they consented to share jointly with a king and house of lords. From the great population of our island, this power could not be exercised personally, and therefore the many were compelled to delegate that power to a few; who thus became their deputies and

agents only, or their representatives. It follows directly, from the very idea of choice, that such choice must be free and uncontroled, admitting of no restrictions but the law of the land, to which king and lords are equally subject, and what must arise from the nature of the trust. A peer of parliament, for instance, cannot be elected a member of the house of commons, because he already forms part of another branch of the same legislative body. A lunatic has a natural incapacity. Other instances might be mentioned, but those two are sufficient. The freedom of election is, then, the common right of the people, their fair and just share of power; and I hold it to be the most glorious inheritance of every subject of this realm, the noblest, and I trust, the most solid part of that beautiful fabric, the English constitution. Here I might learn, sir, on the most respectable authorities which can be cited, the supreme judicature of the kingdom, and the venerable judges of former ages as well as of our own times. *I met them accidentally this morning in the course of my reading*, as an old friend (the duke of Grafton) of *Wilkes and Liberty*, now, alas! lost to every sense of duty to his country, frequently tells another assembly, he *accidentally meets* all the tiresome quotations he makes. The house of peers, in the case of Ashby and White in 1704, determined, "A man has a right to his freehold by the common law; and the law having annexed his rights of voting to his freehold, it is of the nature of his freehold, and must depend upon it." On the same occasion likewise they declared, "It is absurd to say, the electors' right of choosing is founded upon the law and custom of parliament. It is an original right, part of the constitution of the kingdom, as much as a parliament is, and from whence the persons elected to serve in parliament do derive their authority, and can have no other but that which is given to them by those that have the original right to choose them." The greatest law authorities, both ancient and modern, agree in opinion, that every subject of the

realm, not disqualified by law, is eligible of common right. Lord Coke, lord Chief Justice Holt, and Mr. Justice Blackstone, are the only authorities I shall cite. I regard not, sir, the slavish courtly doctrines propagated by lawyers in either house of parliament, as to the rights of the subject, no more than I do as to what they call high treason and rebellion. Such doctrines are delivered here only to be reported elsewhere. These men have their reward. But the venal tongue of a prostitute advocate or judge is best answered by the wise and sober pen of the same man, when in a former cool moment, unheated by party rage or faction, after the fullest deliberation, he gave to the nation, to the present age, and to posterity, a fair and impartial detail of their undoubted rights; and when he laid down in clear and express terms the plain law of the land. Lord Coke says, "He which is eligible of common right, cannot be disabled by the said ordinance of parliament, unless it had been by act of parliament." Lord Chief Justice Holt declares, "The election of knights belongs to the freeholders of counties, and it is an original right, vested in, and inseparable from the freehold, and can no more be severed from their freehold, than their freehold itself can be taken away." Mr. Justice Blackstone, in the first book of his commentaries, has the following words: "Subject to these restrictions and disqualifications, every subject of the realm is eligible of common right." This common right of the subject, sir, was violated by the majority of the last house of commons, and I affirm, that they, and in particular, if I am rightly informed, the noble lord with the blue ribband, committed high treason against *Magna Charta*. This house only, without the interference of the other parts of the legislature, took upon them to make the law. They adjudged me incapable of being elected a member to serve in that parliament, although I was qualified by the law of the land; and the noble lord declared, "If any other candidate had only six votes, he would seat

him for Middlesex*." I repeat it, sir, this violence was a direct infringement of *Magna Charta*, high treason against the sacred charter of our liberties. The words to which I allude ought always to be written in letters of gold. "No freeman shall be disseized of his freehold, or liberties, or free customs, unless by the lawful judgment of his peers, or by the law of the land." By the conduct of that majority, and of the noble lord, they assumed to themselves the power of making the law, and at the same moment invaded the rights of the people, the king, and the lords. The two last tamely acquiesced in the exercise of a power, which had been in a great instance fatal to their predecessors, had put an end to their very existence; but the people, sir, and in particular, the spirited freeholders of this county, whose ruling passion is the love of liberty, have not yet forgiven the attack on their rights. So dangerous a precedent of violence and injustice, which may in future times be cited by a despotic minister of the crown, ought to be expunged from the journals of this house.

I have heard and read much of precedents to justify the proceeding of the majority of the last house of commons. I own, sir, I value very little the doctrine of precedents. There is scarcely any new villainy under the sun. A precedent can never justify any action in itself wicked;—a robbing, for instance, on the heaths of Hounslow or Bagshot, of which there are innumerable precedents. The basest actions may be justified from precedents drawn from bad times and bad men. The sole question is, whether this power is not a direct usurpation on the rights of the people? If that is proved, I care not how long the usurpation has been continued, how often practised. It is high time to put an end to it. It

* This is a mistake. Lord Stanley said the worthy magistrate was mistaken in ascribing to the noble lord (lord North) the declaration, If any other candidate had only six votes, he should be member for Middlesex. It was his father, the late lord Strange, he said, who made that declaration.

was the case with general warrants. One precedent, however, the most insisted upon, I must take notice of, because it is said fully to come up to the point; but in my opinion, in almost every part it proves the contrary of what it has been brought to support—I mean the remarkable case of Mr. Walpole in 1711, a period in which the rankest tory principles were countenanced more than in any period of our history prior to 1760. The case has been so partially quoted, even by a person whose sole merit here was an assumed accuracy, which he never possessed (Jeremiah Dyson, Esq.) that I shall desire it may be read to the house from our Journals. The date is March 6, 1711.

[*The Clerk reads*, "Resolved, that Robert Walpole, Esq. having been this session of parliament, committed a prisoner to the Tower of London, and expelled this house *for an high breach of trust in the execution of his office, and notorious corruption when secretary of war*, was and is incapable of being elected a member to serve in the present parliament."]

Now, sir, I must observe, that even that parliament, at an æra so hostile to the liberties not only of England but of Europe, did not venture to judge him incapable of being elected a member to serve in that parliament only because he was expelled; but in the body of the resolution itself they add another reason, which would be trifling, if one was sufficient and adequate to the point—*the high breach of trust in the execution of his office, notorious corruption, when secretary of war.* As trustees for the public, they assigned a cause, which must interest every member of the community. In the case of Mr. Wilkes, the late majority declared, "That John Wilkes, Esq. having been in this session of parliament expelled this house, *was* and *is* incapable of being elected a member to serve in this present parliament." The *having been expelled*, whether justly or unjustly, is the only reason they gave to the public. I shall not yet, sir, dismiss the case of Mr. Walpole. It will prove another pro-

position I have maintained—the injustice of the late majority in seating Mr. Luttrell in this house. The fact is, that the house of commons having expelled Mr. Walpole, ordered a new writ to issue. At the subsequent election, Mr. Walpole was again returned. A Mr. Taylor, who had a minority of votes, petitioned, but the election was vacated. Had the doctrine propagated by the late majority, and by the noble lord in the blue ribband, been just, Mr. Taylor ought to have sat; the house should have resolved he ought to have been returned, and the greatest injustice was actually done to him. But even that parliament, whose memory the nation execrates, dared not proceed to such enormous wickedness. It was reserved for the present æra, when shame has lost its blush. Mr. Luttrell was for some years declared to represent the county of Middlesex, although a great majority of the freeholders abhorred and reprobated the idea, and on every public occasion declared it.

Sir, when the strong reasons on which any doctrine is founded, bear me out, I care little about precedents. I recollect, however, another instance, of Mr. Woollaston, which directly meets an objection, which has been much relied upon, "That expulsion necessarily implies incapacity." It is the last I shall desire the clerk to read. I wish him to turn to the journals of February 20, 1698.

[*The Clerk reads*, "Resolved, that Richard Woollaston, Esq. being a member of the house of commons, and having since been concerned and acted as a receiver of the duties, &c. contrary to the act made in the 5th and 6th of his majesty's reign, &c. *be expelled this house.*"]

Now, sir, I defy all the subtlety of the most expert court lawyer among us, all the sophistry of the bar, to reconcile this case with the favourite court tenet, that expulsion implies incapacity, because the fact is ascertained, that a new writ did issue for the borough of Whitchurch, *and that Mr. Woollaston was re-elected, and sat in the same parliament. Incapacity*, therefore, does not necessarily follow expulsion.

I am ready to admit, that where a clear legal incapacity exists, all votes given to a person incapacitated are thrown away, if they are knowingly given to him. But, sir, I beg leave to assert, that this was not the case in the Middlesex business. Mr. Wilkes was qualified by the law of the land; and the freeholders, who perfectly understood the clear point of law, as well as their own rights, expressly declared in the petition presented on the 29th of April, to the house. "Your petitioners beg leave to represent to this honourable house, that the said Henry Lawes Luttrell had not the majority of legal votes at the said election, nor did the majority of the freeholders, when they voted for John Wilkes, Esq. mean thereby to throw away their votes, or to wave their right of representation; nor would they, by any means, have chosen to be represented by the said Henry Lawes Luttrell, Esq. Your petioners therefore apprehend that he cannot sit as the representative of the said county in parliament, without a manifest infringement of the rights and privileges of the freeholders thereof." This house, sir, is created by the people, as the other is by the king. What right can the majority have to say to any county, city, or borough. You shall not have a particular person your representative, only because he is obnoxious to us, when he is qualified by law? Every county, city, or borough, has an equal right with all other counties, cities, and boroughs, to its particular deputy in the great council of the nation. Each is distinct and free. I do not mean, sir, now to enter into the argument, whether it may not be fit to give this house the power of expulsion in the first instance for very flagrant and infamous crimes, either committed, or of which the member may be convicted subsequent to his election. That might seem an appeal to the people, sending the member back to his constituents. If however they differ in opinion from the house, and re-elect him, he ought to sit, because he claims his seat under the same authority each member holds his—a delegation

from the people. The first appeal to the constituents may seem just. The appeal certainly lies to them, and it is by their representation only you are a house of parliament. They have the right of choosing for themselves, not you for them. Sir, I will venture to assert, that the law of the land, by which all courts of judicature are equally bound, is overturned by the power lately exercised by a majority of the house. The right of election is placed not in you, but in other hands—in those of your constituents. Your predecessors not only robbed a particular country of its noblest privileges, but they changed the constitution of the house of commons. The freeholders of this county, and the nation, abhorred the action, and poured their execrations on the authors.

But, sir, if you can expel whom you please, and reject those disagreeable to you, the house will be self-created and self-existing. The original idea of your representing the people will be lost. The consequences of such a principle are to the highest degree alarming. A more forcible engine of despotism cannot be put into the hands of any minister. I wish gentlemen would attend to the plain consequences of such proceedings, and consider how they may be brought home to themselves. A member hated or dreaded by the minister is accused of any crime; for instance, of having written a pretended libel. I mention this instance, as the crime least likely to be committed by most of the members of this house. No proof whatever is given on oath before you, because you cannot administer an oath. The minister invades immediately the rights of juries. Before any trial, he gets the paper voted a libel, and the member he wishes expelled to be the author—which fact you are not competent to try. Expulsion means, as is pretended, incapacity. The member is adjudged incapable; he cannot be re-elected, and thus is he excluded from parliament. A minister by such manœuvres may garble a house of commons till not a single enemy of his own, or friend of his country, is left here, and the representation of the peo-

ple is in a great degree lost. Corruption had not lent despotism wings to fly so high in the time of Charles the First, or the minister of that day would have been contented with expelling Hampden and the four other heroes, because they had immediately been adjudged incapable, and he would thereby have incapacitated them from thwarting in parliament the arbitrary measures of a wicked court. Upon all these considerations, in order to quiet the minds of the people, to restore our violated constitution to its original purity, to vindicate the injured rights of this country in particular, and of all the electors of this kingdom, and that not the least trace of the violence and injustice of the last parliament may disgrace our records, I humbly move, "That the resolution of this house of the 17th of February 1769, 'That John Wilkes, Esq. having been in this session of parliament, expelled this house, *was* and *is* incapable of sitting in the present parliament,' be expunged from the journals of this house, as being subversive of the rights of the whole body of electors of this kingdom."

GEORGE GRENVILLE, Esq.

On requesting Leave to bring in a Bill to enable the Speaker to issue his Warrant for new Writs, in the Room of such Members as shall signify to him their desire of vacating their Seats, under certain Regulations.

It has been frequently urged, and indeed with some justice, that no parliament ever made the provisions equal to those agreed to by the last, for a system of parliamentary independence in this house. At least, sir, I am not the man to reprobate it, or to endeavour to take

from them any part of the merit which they, on that head, are so justly entitled to. If, however, there should be any part of that plan imperfect; if, from the exigency of the times, or indeed from any other reasons, they were not enabled to pursue that system to the utmost, we, their successors, must feel it incumbent on us to give it due consideration, and in the discussion of it, we should adopt it as a legacy entrusted to us; and we are well justified in assenting to any feasible system, however weakly the great arguments for it may be urged; however unequal may be the abilities of him who moves it; however light his authority; however great his inexperience. The evil of which we now complain lies within a very short compass: I will not, therefore, detain you long in stating it. It will not be denied me, that there are many situations, in which a member of this house may wish to resign his trust into the hands of those from whom he held it. I know that here I tread on the most tender ground, when I attempt to define the relative duties of constituent and representative, or when I state a situation in which we can be justified in refusing to lend our services to the public, and to this house. The position however, which I lay down, and which I must prove to the satisfaction of the house, is, that there are situations in which, so far from acting dishonourably or unworthily, a member would justly deserve both these imputations, did he not avail himself of every legal means of divesting himself of his trust. Need I, sir, remind this house of the instances we daily see of the old members, to whose services and attentions we have been so much obliged, exhausted in their attendance on this house; they may feel themselves unequal to their eager wishes, in performing the duties incumbent on their station: the vigour of their mind impaired, the strength of their constitution sacrificed to their services, what must be their wish? Ripe in years and ripe in honours, they wish but for a few tranquil moments, preparatory for the grave. A second situation may occur, in which a

member may wish for any honourable means of vacating his seat. When called upon by motives of interest, convenience, or perhaps nobler motives, he may employ the power of his life in active foreign service, of a nature which may not vacate his seat under the present system. Will it not, sir, embitter those moments, perhaps otherwise happy, when he reflects, that the only return which he can make to the kind partiality of his constituents, which placed him here, is to deprive them, by his absence, of their share in the representation? Allow me, sir, to name a third, which is, indeed, of a much more serious nature: let us suppose a member possessed of the qualifications requisite for the seat he takes; by accident, or indeed for provision of a helpless family, or for any other motive at his option, he may be reduced to part with that qualification: scruples of a conscientious heart may suggest to him the necessity of surrendering a seat, to which, in my construction of the act, from that moment he can have no claim. I confess the case is not likely to happen: but as long as it is possible, I have a right to use it for my argument. Having, sir, stated these three, out of a great variety of situations, where it is expedient and proper for a member to wish to divest himself of his trust, I shall, in a few words, state the only method which at present can be taken for these purposes. The place-bill was originally meant as the great security to independence in this house, by giving to the electors the power of rejecting those who might appear to them to have accepted employment on dependent principles. By the abuse of the times, this has been long since perverted to very different and unconstitutional purposes: for it is under this bill, that members, wishing to vacate their seats, solicit the favour of the minister. As this is the first time that I have named the minister, I owe it to myself to declare, that in this mention I disclaim all personal attack; it is founded on a great constitutional line, without conveying any reproach to the noble lord at the head of the treasury. Should I,

therefore, have occasion (which I am persuaded I shall not) to quote cases, in which this courtesy of the minister has been refused, I shall confine myself to instances in a more remote period. To remedy this evil, it is proposed, with the greatest deference to the opinion of this house, to enable the members to vacate their seats, by signifying their wish to the speaker, under certain regulations. Nor, sir, is this idea entirely new; it is a part of the ancient constitution of this house, which I hope the following precedents, extracted from your journals, will sufficiently prove:—

[Here he quoted a multitude of precedents to prove, that from the year 1575 to 1609, it had been the invariable practice of parliament to issue new writs in the room of such as were sick, or on actual service.]

I should intreat the pardon of the house, for detaining them so long on the subject of precedents, were they not necessary to shew, that this motion (if it succeeds) will only bring our parliamentary constitution to its former system. I have not quoted many instances where seats have been vacated by foreign service; the reason is not from want of precedents, but from the too great abundance of them, which, (to say truth) almost universally contradict each other on the face of your journals. I stand, however, on the judgment of the house, who will, I doubt not, agree with me, that in these two situations the practice of ancient times has been invariable. I shall only trespass farther on the indulgence of the house, to consider shortly what may be the objections. The first will probably be, that it retrenches the prerogative of the crown. I will answer it in one word—that I know of no prerogative which can dispose so arbitrarily of a seat in this house. A second may, indeed, be of a more serious nature; it may be urged, that we fail in our duty to our constituents, by dissolving the great reciprocal tie between us; that from the moment of our return to parliament we are the indented servants of the public. In answer to this objection, which is in-

deed, on very delicate and tender ground, let me ask any honourable gentleman who uses it in argument, whether this consideration ever weighed one moment with any man who wished to vacate, under the present system. The only difference then will be, that we shall be constitutionally authorised to adopt a measure, which at present we are forced to conceal under a false pretence, and by a mean evasion: and even this, sir, is dealt out to us as a courtesy of government; and I appeal to the independent feelings of many who hear me, whether this consideration is not alone a sufficient reason for the present motion. It may be urged, that it is ill-timed. Allow me to say, that no time could be ever so opportune; and this argument I ground on the candour of the noble lord opposite to me. He has, as I am informed (for I am but young in parliament) declared his resolution of never refusing this courtesy to any member of any party. I will do him justice in supposing, that he took that determination from the consciousness of the possible misuse of the power lodged in his hands. Whatever were his reasons, they will all operate strongly to determine him to give that support to this motion, which I am sure he will, from knowing how much some future minister may misapply this power. I have now, sir, only to thank the house for their indulgence to me, and humbly to move you, That leave be given to bring in a bill to enable the speaker of the House of Commons to issue his warrants for new writs for members to serve in parliament, in the room of such members as shall signify to him their desire of vacating their seats, under certain regulations.

I would only add, that the regulations would be only some few, which may be necessary, and may be afterwards more fully discussed.

MARQUIS OF GRANBY.

On the American Affairs.

I RISE, to trouble the house with a few words on the bill now before it. I have sat, sir, during the course of two divisions, without taking any part, even so much as giving a silent vote on any American question; because, sir, as I will fairly confess to you, I entered with prejudices against the system administration was pursuing: I thought it was but justice to hear the arguments that might be urged on both sides, to compare those arguments, and draw my opinion from that comparison. As to the bill immediately the object of our consideration, I think it in every respect so arbitrary, so oppressive, and so totally founded on principles of resentment, that I am exceedingly happy at having this public opportunity of bearing my testimony against it, in the strongest manner I am able. In God's name, what language are you now holding out to America? Resign your property, divest yourselves of your privileges and freedom, renounce every thing that can make life comfortable, or we will destroy your commerce, we will involve your country in all the miseries of famine; and if you express the sensations of men at such harsh treatment, we will then declare you in a state of rebellion, and put yourselves and your families to fire and sword. And yet, sir, the noble lord on the floor (lord North) has told this house that a reconciliation is the sole object of his wishes. I hope the noble lord will pardon me, if I doubt the perfect sincerity of those wishes; at least, sir, his actions justify my doubt; for every circumstance in his whole conduct, with regard to America, has directly

militated against his present professions; and what, sir, must the Americans conclude? Whilst you are ravaging their coasts and extirpating their commerce, and are withheld only by your impotence from spreading fresh ruin, by the sword, can they, sir, suppose such chastisement is intended to promote a reconciliation, and that you mean to restore to their forlorn country those liberties you deny to their present possession, and in the insolence of persecution, are compassing earth and seas to destroy? You can with no more justice compel the Americans to your obedience, by the operation of the present measures, by making use of their necessities, and withholding from them that commerce on which their existence depends, than a ruffian can found an equitable claim to my possessions, when he forcibly enters my house, and with a dagger at my throat, or a pistol at my breast, makes me seal deeds, which will convey to him my estate and property.

[Mr. Rigby having declared the Americans to be in rebellion, lord Granby in answer, said, his ideas of rebellion, were totally different from Mr. Rigby's. If, according to his ideas of rebellion, the Americans were in that state, he should be as warmly their opponent as he was now their friend; and then went on.]

I have a very clear, a very adequate idea of rebellion, at least according to my own principles; and those are the principles on which the revolution was founded. It is not against whom a war is directed, but it is the justice of that war that does, or does not, constitute rebellion. If the innocent part of mankind must tamely relinquish their freedom, their property, and every thing they hold dear, merely to avoid the imputation of rebellion, I beg, sir, it may be considered what kind of peace and loyalty there will then exist in the world, which consists only in violence and rapine, and is merely to be maintained for the benefit of robbers and oppressors. I hope, sir, I shall be believed when I assure you that I am as warm a friend to the interests of my country as

any man in this house; but then it must be understood, when those interests are founded in justice. I am not attached to any particular acre of land. The farmer in Cumberland or Durham is as little connected with me as the peasant in America. It is not the ground a man stands on that attaches me to him; it is not the air he breathes that connects me with him; but it is the principles of that man, those independent, those generous principles of liberty which he professes, co-operating with my own, which call me forth as his advocate, and make me glory in being considered his friend. As for myself, sir, I am not in the least ashamed to avow that this is the source of my attachment to a noble lord, who has been, in my opinion, very unjustly reflected on in the course of this debate (I mean lord Chatham.) I am not even personally acquainted with the noble lord; I do not know the inconsistencies of which he stands accused: but this, sir, I know, I shall not support his inconsistencies; I shall only support him in those principles which have raised his name to the elevation on which it is now placed in this country, and have so deservedly procured him the love and admiration of his fellow citizens.

Sir, I shall not trouble this house any longer, as this matter has been so fully discussed; though, I must confess, I am not sorry a debate has taken place, because I was rather desirous of making a kind of political creed, some professions of my sentiments on this very important, this very serious national question.

From the fullest conviction of my soul, I disclaim every idea both of policy and right, internally to tax America. I disavow the whole system; it is commenced in iniquity; it is pursued with resentment; and it can terminate in nothing but blood. Under whatsoever shape in futurity it may be revived, by whomsoever produced and supported, it shall, from me, meet the most constant, determined, and invariable opposition.

EARL OF EFFINGHAM.

On the Memorial from the House of Assembly at New-York.

THE turn which this debate has taken, makes it unnecessary for me to remark on any thing which in the course of it has fallen from any noble lord; but as I wish to call your lordships' attention rather to the subject matter, than to the form and manner of the paper offered you, I hope I shall stand excused, if I treat the latter as trifling, when put in competition with the salutary or dreadful effects of admitting or rejecting the means now in your hands, of restoring harmony to this distracted empire. What may be the fate of the amendment proposed, I know not; but I fear it is too easily to be guessed, from the complexion of the house, what will be that of the memorial. If any thing, my lords, can add to the reluctance with which I at any time trouble your lordships, it is a consciousness of my own inability to treat this subject as it ought to be treated. Indeed, the importance of it is such, as would deter me from entering into it at all, did I not think, that in the precarious situation in which this country stands at present, it is the duty of every man to avow his principles and sentiments with firmness and integrity.

The indulgence which I have before experienced, encourages me to expect again from your candour, that attention, which I have not, like many among your lordships, the abilities to command. I confess I wish to avoid the discussion of our right to such a power as we

are contending for; that is to say, a power of taxing a set of subjects who are not represented among us, and who have full power to tax themselves in the ordinary and constitutional manner.

Were any particular province among the Americans to refuse grants of money in proportion to others, or to commit any act in abuse of their charters, I think that supreme controling power, which the province in question allows in its full extent, would give us the charge, *Ne quid detrimenti res capiat publica.* And in that case, my lords, almost the whole empire would be united against the wrong-headed few, who would be soon brought to reason. But I am satisfied, that without such necessity, we have no more right to exercise the power of taxation in that country, than a Roman dictator had to begin his office with a declaration, that his power should be perpetual, and was necessary in the ordinary business of government. Therefore, my lords, whatever has been done by the Americans, I must deem the mere consequence of our unjust demands. They have come to you with fair arguments—you have refused to hear them; they make the most respectful remonstrances; you answer them with bills of pains and penalties; they know they ought to be free—you tell them they shall be slaves. Is it then a wonder, if they say in despair, "for the short remainder of our lives, we will be free!" Is there one among your lordships, who, in a situation similar to that which I have described, would not resolve the same? If there could be such an one, I am sure he ought not to be here. To bring the history down to the present moment. Here are two armies in presence of each other; armies of brothers and countrymen; each dreading the event, yet each feeling, that it is in the power of the most trifling accident, a private dispute, a drunken fray in any public house in Boston; in short a nothing, to cause the sword to be drawn, and to plunge the whole country into all the horrors of blood, flames, and parricide. In this dreadful moment, a set of men,

more wise and moderate than the rest, exert themselves to bring us all to reason.

They state their claims and their grievances; nay, if any thing can be proved by law and history, they prove them. They propose oblivion, they make the first concessions; we treat them with contempt—we prefer poverty, blood, and servitude, to wealth, happiness, and liberty. My lords, I should think myself guilty of offering an insult to your lordships, if I presumed to suppose there was one amongst you who could think of what was expedient, when once it appeared what was just. I might otherwise have adverted to the very formidable armament preparing by Spain; but as that argument ought to have no consideration with your lordships, I shall not suppose it would have any; and for that reason will entirely reject it. What weight these few observations may have, I dont know; but the candour your lordships have indulged me with, requires a confession on my part which may still lessen that weight. I must own, I am not personally disinterested. Ever since I was of an age to have any ambition at all, my highest has been to serve my country in a military capacity. If there was on earth an event I dreaded, it was to see this country so situated as to make that profession incompatible with my duty as a citizen. That period is, in my opinion, arrived; and I have thought myself bound to relinquish the hopes I had formed, by a resignation, which appeared to me the only method of avoiding the guilt of enslaving my country, and embruing my hands in the blood of her sons. When the duties of a soldier and a citizen become inconsistent, I shall always think myself obliged to sink the character of the soldier in that of the citizen, till such time as those duties shall again, by the malice of our real enemies, become united. It is no small sacrifice which a man makes who gives up his profession; but it is a much greater, when a predilection, strengthened by habit, has given him so strong an attachment to his profession as I feel. I have, how-

ever, this one consolation, that by making that sacrifice, I at least give to my country an unequivocal proof of the sincerity of my principles.

MR. WILKES.

On moving for Leave to bring in a Bill for a just and equal Representation of the People of England in Parliament.

All wise governments, and well regulated states, have been particularly careful to mark and correct the various abuses, which a considerable length of time almost necessarily creates. Among these, one of the most striking and important in our country is, the present unfair and inadequate state of the representation of the people of England in parliament. It is now become so partial and unequal, from the lapse of time, that I believe almost every gentleman in the house will agree with me in the necessity of its being taken into our most serious consideration, and of our endeavouring to find a remedy for this great and growing evil.

I wish, sir, my slender abilities were equal to a thorough investigation of this momentous business; very diligent and well-meant endeavours have not been wanting to trace it from the first origin. The most natural and perfect idea of a free government is, in my mind, that of the people themselves assembling to determine by what laws they choose to be governed, and to establish the regulations they think necessary for the protection of their property and liberty, against all violence and fraud. Every member of such a community would submit with alacrity to the observance of whatever had

been enacted by himself, and assist with spirit in giving efficacy and vigour to laws and ordinances, which derived all their authority from his own approbation and concurrence. In small inconsiderable states, this mode of legislation has been happily followed, both in ancient and modern times. The extent and populousness of a great empire seems scarcely to admit it without confusion or tumult, and therefore, our ancestors, more wise in this than the ancient Romans, adopted the representation of the many by a few, as answering more fully the true ends of government. Rome was enslaved from inattention to this very circumstance, and by one other fatal act, which ought to be a strong warning to the people, even against their own representatives here—the leaving power too long in the hands of the same persons, by which the armies of the republic became the armies of Sylla, Pompey, and Cæsar. When all the burghers of Italy obtained the freedom of Rome, and voted in public assemblies, their multitudes rendered the distinction of the citizen of Rome, and the alien, impossible. Their assemblies and deliberations became disorderly and tumultuous. Unprincipled and ambitious men found out the secret of turning them to the ruin of the Roman liberty, and the commonwealth. Among us this evil is avoided by representation, and yet the justice of this principle is preserved. Every Englishman is supposed to be present in parliament, either in person, or by deputy chosen by himself; and therefore, the resolution of parliament is taken to be the resolution of every individual, and to give to the public the consent and approbation of every free agent of the community.

According to the first formation of this excellent constitution, so long and so justly our greatest boast and best inheritance, we find that the people thus took care no laws should be enacted, no taxes levied, but by their consent, expressed by their representatives in the great council of the nation. The mode of representation in ancient times being tolerably adequate and proportionate,

the sense of the people was known by that of parliament; their share of power in the legislature was preserved, and founded in equal justice; at present it is become insufficient, partial, and unjust. From so pleasing a view as that of the equal power which our ancestors had, with great wisdom and care, modelled for the commons of this realm, the present scene gives us not very venerable ruins of that majestic and beautiful fabric, the English constitution.

As the whole seems in disorder and confusion, all the former union and harmony of the parts are lost and destroyed. It appears, sir, from the writs remaining in the king's remembrancer's office in the exchequer, that no less than twenty-two towns sent members to the parliaments in the 23d, 25th, and 26th, of king Edward I. which have long ceased to be represented. The names of some of them are scarcely known to us, such as those of Canebrig and Bamburgh in Northumberland, Pershore and Brem in Worcestershire, Jarvall and Tykhull in Yorkshire. What a happy fate, sir, has attended, the boroughs of Gatton and Old Sarum, of which although *ipsæ periere ruinæ*, the names are familiar to us! the clerk regularly calls them over, and four respectable gentlemen represent their departed greatness, as knights of coronation represent Aquitaine and Normandy! The little town of Banbury, *petite ville grand renom*, as Rabelais says of Chinon, has, I believe only 17 electors, and a chancellor of the exchequer. Its influence and weight on a division, I have often seen overpower the united force of the members for London, Bristol, and several of the most opulent counties. East Grinstead too, I think, has only about 30 electors, yet gives a seat among us to that brave, heroic lord, at the head of a great department, now very military, who has fully determined to conquer America, but not in Germany. It is not, sir, my purpose, to weary the patience of the house by the researches of an antiquarian into the ancient state of our representation, and its variations at differ-

ent periods. I shall only remark shortly on what passed in the reign of Henry VI. and some of his successors. In that reign, sir John Fortescue, his chancellor, observed, That the house of commons consisted of more than 300 chosen men. Various alterations were made by succeeding kings till James II. since which period no change has happened. Great abuses, it must be owned, contrary to the primary ideas of the English constitution, were committed by our former princes, in giving the right of representation to several paltry boroughs, because the places were poor, and dependent on them, or on a favourite over-grown peer. The land marks of the constitution have often been removed. The marked partiality to Cornwall, which single county still sends, within one, as many members as the whole kingdom of Scotland, is striking, and arose from its yielding to the crown in tin and lands a larger hereditary revenue than any other English county, as well as from this duchy being in the crown, and giving an amazing command and influence. By such acts of our princes the constitution was wounded in its most vital parts. Henry VIII. restored two members, Edward VI. twenty, queen Mary four, queen Elizabeth twelve, James I. sixteen, Charles I. eighteen; in all seventy-two. The alterations by creation in the same period were more considerable; for Henry VIII. created thirty-three, Edward VI. twenty-eight, queen Mary seventeen, queen Elizabeth forty-eight, James I. eleven; in all 137. Charles I. made no creation of this kind. Charles II. added two for the county, and two for the city of Durham, and two for Newmarket on Trent. This house is at this hour composed of the same representation it was at his demise, notwithstanding the many and important changes which have since happened; it becomes us therefore to enquire, whether the sense of parliament can be now, on solid grounds, from the present representation, said to be the sense of the nation, as in the time of our forefathers. I am satisfied, sir, the sentiments of the people cannot be justly known at this time,

from the resolutions of a parliament, composed as the present is, even though no undue influence was practised after the return of the members to the house; even supposing for a moment the influence of all the baneful arts of corruption to be suspended, which, for a moment, I believe, they have not been, under the present profligate administration. Let us examine, sir, with exactness and candour, of what the efficient parts of the house are composed, and what proportion they bear on the large scale to the body of the people of England, who are supposed to be represented.

The southern part of this island, to which I now confine my ideas, consists of about five millions of people, according to the most received calculation. I will state by what number the majority of this house is elected, and I suppose the largest number present of any recorded in our journals, which was in the famous year 1741. In that year the three largest divisions appear in our journals. The first is that on the 21st of January, when the numbers were 253 to 250; the second on the 25th day of the same month, 236 to 235; the third on the 9th of March, 242 to 242. In these divisions the members of Scotland are included; but I will state my calculations only for England, because it gives the argument more force. The division, therefore, I adopt, is that of January 21st; the number of members present on that day were 503. Let me however suppose the number of 254 to be the majority of members, who will ever be able to attend in their places. I state it high, from the accidents of sickness, service in foreign parts, travelling, and necessary avocations. From the majority of electors in the boroughs, which returned members to this house, it has been demonstrated that this number of 254 members are actually elected by no more than 5,723 persons, generally the inhabitants of Cornish, and other boroughs, and perhaps not the most respectable part of the community. Is our sovereign, then, to learn the sense of his whole people from these

few persons? Are these the men to give laws to this vast empire, and to tax this wealthy nation? I do not mention all the tedious calculations, because gentlemen may find them at length in the works of the incomparable Dr. Price, in Postlethwaite, and in Burgh's Political Disquisitions. Figures afford the clearest demonstration, incapable of cavil or sophistry. Since Burgh's calculation, only one alteration has happened; I allude to the borough of Shoreham, in Sussex; for by the act of 1771, all the freeholders of forty shillings *per annum*, in the neighbouring rape or hundred of Bramber, are admitted to vote for that borough, but many of the old electors were disfranchised. It appears likewise, that 56 of our members are elected by only 364 persons. Lord Chancellor Talbot supposed that the majority of this house was elected by 50,000 persons, and he exclaimed against the injustice of that idea. More accurate calculators than his lordship, and the unerring rules of political arithmetic, have shewn the injustice to be vastly beyond what his lordship even suspected. When we consider, sir, that the most important powers of this house, the levying taxes on, and enacting laws for five millions of persons, is thus usurped and unconstitutionally exercised by the small number I have mentioned, it becomes our duty to the people to restore to them their clear rights, their original share in the legislature. The ancient representation of this kingdom, we find, was founded by our ancestors in justice, wisdom, and equality. The present state of it would be continued by us in folly, obstinacy, and injustice. The evil has been complained of by some of the wisest patriots our country has ever produced. I shall beg leave to give that close reasoner, Mr. Locke's ideas, in his own words. He says, in the treatise on civil government, "Things not always changing equally, and private interests often keeping up customs and privileges, when the reasons of them are ceased, it often comes to pass, that in governments, where part of the legislature consists of representatives

chosen by the people, that in tract of time this representation becomes very unequal and disproportionate to the seasons it was at first established upon. To what gross absurdities the following of a custom, when reason has left it, may lead, we may be satisfied, when we see the bare name of a town, of which their remains not so much as the ruins, where scarce so much housing as a sheep-coat, or more inhabitants than a shepherd is to be found, sends as many representatives to the grand assembly of law-makers, as a whole county, numerous in people, and powerful in riches. This strangers stand amazed at, and every one must confess, needs a remedy." After so great an authority as that of Mr. Locke, I shall not be treated on this occasion as a mere visionary, and the propriety of the motion I shall have the honour of submitting to the house, will scarcely be disputed. Even the members for such places as Old Sarum, and Gatton, who I may venture to say at present *stant nominis umbræ*, will, I am persuaded, have too much candour to complain of the right of their few constituents, if indeed they have constituents, if they are not self-created, self-elected, self-existent, of this pretended right being transferred to the county, while the rich and populous manufacturing towns of Birmingham, Manchester, Leeds, Sheffield, and others, may have at least an equitable share in the formation of those laws by which they are governed. My idea, sir, in this case as to the wretched and depopulated towns and boroughs in general, I own is amputation. I say with Horace, *Inutilis ramos amputans, feliciores inserit.* This is not, sir, the first attempt of the kind to correct, although in an inconsiderable degree, this growing evil. Proceedings of a similar nature were had among us above a century past. The clerk will read from our journals what passed on the 26th of March 1668, on a bill to enable the county palatine of Durham to send two knights for the county, and two citizens for the city of Durham.

[*The Clerk reads.*]

In a book of authority, Anchitell Grey's Debates, we have a more particular account of what passed in the house on that occasion. He says, that "Sir Thomas Meres moved, that the shires may have an increase of Knights, and that some of the small boroughs, where there are but few electors, may be taken away; and a bill was brought in for that purpose." "On a division the bill was rejected, 65 to 50." This, however, alludes only to the bill then before the house, respecting the county and city of Durham. I desire to add the few remarkable words of sir Thomas Strickland in this debate, because I have not seen them quoted on the late important American questions. "The county palatine of Durham was never taxed in Parliament, by ancient privilege, before king James's time, and so needed no representatives; but now being taxed, it is but reasonable they should have them." Such sentiments, sir, were promulgated in this house even so long ago as the reign of Charles II. I am aware, sir, that the power *de jure*, of the legislature to disfranchise a number of boroughs, upon the general grounds of improving the constitution, has been doubted; and gentlemen will ask, whether a power is lodged in the representative to destroy his immediate constituent? Such a question is best answered by another: How originated the right, and upon what grounds was it gained? Old Sarum and Gatton, for instance, were populous towns, when the right of representation was first given them. They are now desolate, and therefore ought not to retain a privilege, which they acquired only by their extent and populousness. We ought in every thing, as far as we can, to make the theory and practice of the constitution coincide, and the supreme legislative body of a state must surely have this power inherent in them. It was, *de facto*, lately exercised to its full extent by this house in the case of Shoreham, with universal approbation: for near a hundred corrupt voters were disfranchised, and about twice that number of freeholders ad-

mitted from the county of Sussex. It will be objected, I forsee, that a time of perfect calm and peace throughout this vast empire, is the most proper to propose internal regulations of this importance ; and that while intestine discord rages in the whole nothern continent of America, our attention ought to be fixed upon the most alarming object, and all our efforts employed to extinguish the devouring flame of a civil war. In my opinion, sir, the American war is, in this truly critical æra, one of the strongest arguments for the regulations of our representation, which I now submit to the house. During the rest of our lives, likewise, I may venture to propheey, America will be the leading feature of this age. In our late disputes with the Americans, we have always taken it for granted, that the people of England justified all the iniquitous, cruel, arbitrary, and mad proceedings of administration, because they had the approbation of the majority of this house. The absurdity of such an argument is apparent ; for the majority of this house, we know, speak only the sense of 5,723 persons, even supposing, according to the constitutional custom of our ancestors, the constituent had been consulted on this great national point as he ought to have been. We have seen in what manner the acquiescence of a majoriy here is obtained. The people in the southren part of this island amount to upwards of five millions ; the sense, therefore, of five millions, cannot be ascertained by the opinion of not six thousand, even supposing it had been collected. The Americans with great reason, insist, that the present war is carried on contrary to the sense of the nation, by a ministerial junto, and an arbitrary faction, equally hostle to the rights of Englishmen, and the claims of Americans. The various addresses to the throne from the most numerous bodies, praying that the sword may be returned to the scabbard, and all hostilities cease, confirm this assertion. The capital of our country has repeatedly declared, by various public acts, its abhorrence

of the present unnatural civil war, begun on principles subversive of our constitution.

Our history furnishes frequent instances of the sense of parliament running directly counter to the sense of the nation. It was notoriously of late the case in the business of the Middlesex election. I believe the fact to be equally certain in the grand American dispute, at least as to the actual hostilities now carrying on against our brethren and fellow subjects. The proposal before us will bring the case to an issue, and from a fair and equal representation of the people, America may at length distinguish the real sentiments of freemen and Englishmen. I do not mean, sir, at this time to go into a tedious detail of all the various proposals which have been made for redressing this irregularity in the representation of the people. I will not intrude on the indulgence of the house, which I have always found so favourable to me. When the bill is brought in, and sent to a committee, it will be the proper time to examine all the minutiæ of this great plan, and to determine on the propriety of what ought now to be done, as well as of what formerly was actually accomplished. The journals of Cromwell's parliaments prove, that a more equal representation was settled, and carried by him into execution. That wonderful, comprehensive mind embraced the whole of this powerful empire. Ireland was put on a par with Scotland, and each kingdom sent thirty members to parliament, which consisted likewise of four hundred from England and Wales, and was to be triennial. Our colonies where then a speck on the face of the globe; now they cover half the New world. I will at this time, sir, only throw out general ideas, that every free agent in this kingdom should, in my wish, be represented in parliament; that the metropolis, which contains in itself a ninth part of the people, and the counties of Middlesex, York, and others, which so greatly abound with inhabitants, should receive an increase in their representation; that the mean and insig-

nificant boroughs, emphatically styled the rotten part of our constitution, should be *lopped off*, and the electors in them thrown into the counties; and the rich, populous, trading towns, *Birmingham*, *Manchester*, Sheffield, Leeds, and others, be permitted to send deputies to the great council of the nation. The disfranchising of the mean, venal, and dependent boroughs, would be laying the axe to the root of corruption and treasury influence, as well as aristocratical tyranny. We ought equally to guard against those who sell themselves, or whose lords sell them. Burgage tenures, and private property in a share of the legislature, are monstrous absurdities in a free state, as well as an insult to common sense. I wish, sir, an English parliament to speak the free, unbiassed sense of the body of the English people, and of every man among us, of each individual, who may be justly supposed to be comprehended in a fair majority.

The meanest mechanic, the poorest peasant and day-labourer, has important rights respecting his personal liberty, that of his wife and children, his property, however inconsiderable, his wages, his earnings, the very price and value of each day's hard labour, which are in many trades and manufactures regulated by the power of parliament. Every law relative to marriage, to the protection of a wife, sister, or daughter, against violence and brutal lust, to every contract or agreement with a rapacious or unjust master,* interest the manufacturer, the cottager, the servant, as well as the rich subjects of

* There was a remarkable instance of the force of these observations during the late scarcity, when at the very time that it was declared in the house of commons that they had no right to *meddle* with the monopoly of corn, because it was interfering with the *freedom* of trade, they were enforcing certain regulations, to prevent the combinations of journeymen and other labourers to raise the price of their wages; as if a man had less right to dispose of his labour than of his property as he thought fit; that is, they had no right to prevent combinations of the rich to starve the poor; but they had a

the state. Some share, therefore, in the power of making those laws, which deeply interest them, and to which they are expected to pay obedience, should be referred even to this inferior, but most useful set of men in the community; and we ought always to remember this important truth acknowledged by every free state—that all government is instituted for the good of the mass of the people to be governed: that they are the original fountain of power, and even of revenue, and in all events the last resource. The various instances of partial injustice throughout this kingdom will likewise become the proper subjects of enquiry in the course of the bill before the committee, such as the many freeholds in the city of London, which are not represented in this house. These freeholds being within the particular jurisdiction of the city, are excluded from giving a vote in the county of Middlesex, and by act of parliament only liverymen can vote for members of parliament, in London. These, and other particulars, I leave. I mention them now to shew the necessity of a new regulation of the representation of this kingdom. My enquiries, sir, are confined to the southern part of the island. Scotland I leave to the care of its own careful and prudent sons. I hope they will spare a few moments from the management of the arduous affairs of England and America, which at present so much engross their time, to attend to the state of representation among their own people, if they have not all emigrated to this warmer and more fruitful climate. I am almost afraid, the forty-five Scottish gentlemen among us represent themselves. Perhaps in my plan for the improvement of the representation of England, almost all the natives of Scotland may be included. I shall only remark,

right to prevent combinations of the poor to keep themselves from starving: "in other words, they are impotent to save, powerful to destroy; and equally by their power and impotence, thy aggrandize themselves, and weaken and impoverish whomsoever they please."——*Burke.*

that the proportion of representation between the two countries cannot be changed. In the twenty-second article of the treaty of union, the number of forty-five is to be the representative body in the parliament of Great Britain for the northern part of this island. To increase the members of England and Wales beyond the number of which the English parliament consisted at the period of that treaty, in 1706, would be a breach of public faith, and a violation of a solemn treaty between two independent states. My proposition has for its basis the preservation of that compact, the proportional share of each kingdom in the legislative body remaining exactly according to its establishment. The monstrous injustice and glaring partiality of the present representation of the commons of England, has been fully stated, and is, I believe, almost universally acknowledged, as well as the necessity of our recurring to the great leading principle of our free constitution, which declares this house of parliament to be only a delegated power from the people at large. Policy, no less than justice, calls our attention to this momentous point; and reason, not custom, ought to be our guide in a business of this consequence, where the rights of a free people are materially interested. Without a true representation of the commons our constitution is essentially defective, our parliament is a delusive name, a mere phantom, and all other remedies to recover the pristine purity of the form of government established by our ancestors, would be ineffectual; even the shortening the period of parliaments, and a place and pension bill, both which I highly approve, and think absolutely necessary. I therefore flatter myself, sir, that I have the concurrence of the house with the motion which I have now the honour of making, "That leave be given to bring in a bill for a just and equal representation of the people of England in parliament."

MR. DUNNING,

(Afterwards Lord Ashburton,)

Was born at Ashburton, in Devonshire, in 1731. After studying some time under his father, who was an attorney, he entered at the temple, and on being called to the bar, soon rose to eminence in his profession: he obtained a seat in parliament, and became one of the most distinguished members of opposition at this period. He died 1782. The following is the most brilliant display of his eloquence that I have met with; which I was at some pains to pick out from among the shreds and patches that remain of his speeches. His legal knowledge is said to have been very great; but as this is a subject which I do not understand, I must leave it to the lawyer to pronounce his panegyric in "good set terms" of their own.

On the Bill for punishing Persons suspected of being Pirates.

He said he would not take up the time of the house, in debating the bill upon legal grounds: for where there was no reason or justice, there could be no law. Law supposes a rule, which, while it prescribes a mode of conduct, respecting either the public or individuals, defines the offence, annexes the punishment, and, besides, especially provides and directs all the intermediate steps between the charge and conviction, but more particularly, the measure and quantity of the punishment. What does this bill say? No crime is imputable, no examination of innocence or criminality is to follow. The punishment is inflicted, in the first instance, on the ground of mere suspicion.

A man may be suspected; any man may be suspected; but his guilt or innocence is entirely out of the

question; no inquiry whatever is to be made into either, as long as the present bill continues in force. He confessed there were times, in which it had been found extremely necessary to suspend the *habeas corpus* act; such, in particular, were two late most unnatural and unprovoked rebellions in Scotland: but then there was a necessity stated. That necessity was not denied; it was, indeed, notorious: but would any man say that was the case at present? Is there a rebellion within the kingdom? Is there a pretender claiming the crown as his legal and constitutional inheritance; and that at the expence of both our civil and religious rights—the very essence, as well as the form of our constitution? No such thing: the idea is ridiculous. Are we, on the other hand, afraid that the people of America will pass the Atlantic on a bridge, and come over and conquer us? And that their partisans lie in ambush about Brentford or Colnbrook? That, it may be presumed, will be hardly contended, even in the present rage for assertion without proof, and conclusion without argument. No, this bill, I plainly perceive, has been manufactured for other purposes. It can be stretched, and twined, and twisted, by the ingenuity of my worthy and learned friend over the way (Mr. Attorney General,) or by some of his brethren equally ingenious, to affect and reach men who never saw America, or, peradventure, the high seas, as strongly, at least as efficaciously, for the mere temporary purposes of prosecution and revenge, as if they had been caught in arms—in open rebellion.

If even ministers had contented themselves with this first ebullition of their fiery, irresistible zeal for persecution, the public might look on, with a mixture of contempt and astonishment, at the insolence and folly of the attempt; but when they go a step farther, and venture to couple it with a power untried hitherto in the annals of this country, a power including in it the most bloody species of proscription. I confess I begin to feel

sentiments of a very different nature. What does the clause say? After empowering the apprehension, on the mere grounds of suspicion, and directing the commitment to any common gaol within his majesty's dominions, are not we told—"or to any other place of confinement, especially appointed for that purpose, by warrant under his Majesty's sign manual, by any magistrate, having competent authority in that behalf"—(who is hereby authorised to commit such persons to the place so to be appointed?) Is not this evidently a power, not only to punish the innocent, but to inflict such pains upon them as an honest mind must revolt at, and contemplate with horror? The magistrate may take up and commit, on suspicion, to the common gaol, and by the sign manual, to any other place especially appointed, and is further authorised to commit according to such special appointment. What is this but to authorise the mode, measure, and place of confinement, at the pleasure of the minister, which, besides, manifestly, includes in it the power of temporary banishment, as well as confinement, to any part, or to the most remote, unhealthy, and pestiferous climate within the wide circuit of his Majesty's dominions, in the four quarters of the globe? If this be the intention of my honourable and learned friend over the way, and his no less honourable employers, in God's name, let him speak out; let us know, let the public know, what they are to expect. Let him and his friends no longer amuse us with a formal circumstantial story of America and the high seas, or the crime of piracy. Such tales may be amusing to some people, and they may answer certain purposes out of doors, and in some particular places; but to talk of them seriously within these walls, will not, I believe, be attempted. The power endeavoured to be vested in the crown by this bill, is most evidently a dictatorial power, or similar to that exercised by the Roman dictators. We all know the motives for granting such a power. It will hardly be contended, that any such mo-

tives exist at present. We all know the frequent abuse of it, and the horrid purposes, towards the latter period of the commonwealth, to which it was employed; and I presume there is not a school-boy of three years standing, who is ignorant that that mighty republic was overthrown by a dictator.

Such will always be the case, when powers are granted through ignorance, wantonness, or design. If the present bill was to have no other evil effect than establishing a precedent for future ministers to come to parliament on the same errand, I should be against it: but when I behold it in the light I do, I must deem it a most formidable, dangerous, and, I fear, fatal attack upon the liberty of this country. It seems directed at its vitals, and in my opinion, threatens its total destruction, if not a dissolution of the constitution. Before I conclude, I must observe, if any thing were wanting to shew the true complexion of this bill, the words *High Seas* and *Piracy* will fully explain it; these words apply to the seas contiguous to Great Britain and Ireland. It is, indeed, plainly perceivable, whetever the title of the bill may be, it is not an American, so much as it is a British suspension of the *habeas corpus* act. It may overtake any man, any where. It authorises a discretionary punishment, without a colour of legal proof, or even a probable ground of suspicion. It makes no distinction between the dreams of a sick man, and the ravings of a demoniac, and the malice of a secret or declared enemy.

No man is exempt from punishment, because innocence is no longer a protection. It will generate spies, informers, and false accusers, beyond number; and furnish the means of gratification, emolument, and satiety, to the most profligate of the species; while it will let loose with impunity, the blackest and most horrid vices which disgrace the human mind. In fine, it will realize what has hitherto been looked upon to be the creature of poetic fiction; it will scatter over the land more

ills and curses than were ever supposed to flow from Pandora's box. Justice will be bound, as well as blind; and it will be in the power of every revengeful minister, or mercenary villain, to satiate his revenge, or fill his pockets, at the expence of the best and most virtuous men in the commonwealth.

MR. WILKES.

On the Petition of the Trustees of the British Museum.

BEFORE the petition of the trustees of the British Museum is referred to the committee of supply, I beg the indulgence of the house, to submit a few general ideas on that subject, entirely independent of party or politics. The encouragement of all useful knowledge, and the protection of the arts and sciences, appear to me, sir, just objects of public regard, and highly deserving parliamentary attention, especially in this great commercial country. Among the many proofs of the improvement of our national taste and love of polite literature, the establishment of the British Museum claims the pre-eminence. It rose under the favourable auspices of this house; has been carefully watched over by us; and I hope, will still continue to receive our friendly protection and support. Various branches of learning have already derived singular advantages from that rich repository, and I think it may be made yet more extensively useful to this kingdom. This, sir, can only be done by this house, by parliamentary assistance. I shall at present confine myself to general ideas, and only throw out some hints for a future day's consideration.

It seems to me, sir, highly expedient, that the trustees of the British Museum should not only be enabled

adequately to fulfil the objects of their public trust, by making what is already collected as useful as possible to the nation, but still farther to extend the laudable purposes of this institution. Their present funds, we find by their petition, are incompetent even to the contracted plan now pursued. It is a general complaint, that the Museum is not sufficiently accessible to the public. This must necessarily happen from the deficiency of their revenues: the trustees cannot pay a proper number of officers and attendants. This will, to day, be in part the consideration of the committee into which the house will soon resolve itself. But, sir, I wish their plan much enlarged, especially on two important objects—books and paintings. This capital, after so many ages, remains without any considerable public library. Rome has the immense collection of the Vatican; and Paris scarce yields to the mistress of the world, by the greatness of the king's library. They are both open at stated times, with every proper accommodation to all strangers. London has no large public library; the best here, I believe, is the Royal Society's: but even that is inconsiderable; neither is it open to the public; nor are the necessary conveniences afforded strangers for reading or transcribing. The British Museum, sir, is rich in manuscripts; the Harleian collection, the Cottonian library, the collection of Charles the First, and many others, especially in our own history; but it is wretchedly poor in printed books. I wish, sir, a sum was allowed by parliament, for the purchase of the most valuable editions of the best authors, and an act passed, to oblige, under a certain penalty, every printer to send a copy bound of every publication he made, to the British Museum. Our posterity, by this, and other acquisitions, might perhaps possess a more valuable treasure than even the celebrated Alexandrian collection: for notwithstanding that selfishness which marks the present age, we have not quite lost sight of every beneficial prospect for futurity. Considerable donations might like-

wise, after such a sanction of parliamentary approbation, be expected from private persons, who in England, more than in any country of the world, have enlarged views for the general good and glory of the state.

The British Museum, sir, possesses few valuable paintings; yet we are anxious to have an English school of painters. If we expect to rival the Italian, the Flemish, or even the French school, our artists must have before their eyes the finished works of the greatest masters. Such an opportunity, if I am rightly informed, will soon present itself. I understand that an application is intended to be made to parliament, that one of the first collections in Europe, that at Houghton, made by sir Robert Walpole, of acknowledged superiority to most collections in Italy, and scarcely inferior to the duke of Orleans's, in the Palais Royal at Paris, may be sold: I hope it will not be dispersed, but purchased by parliament, and added to the British Museum. I wish, sir, the eye of painting as fully gratified as the ear of music is in this island; which at last bids fair to become a favourite abode of the polite arts. A noble gallery ought to be built in the garden of the British Museum, for the reception of that invaluable treasure. Such an important acquisition as the Houghton collection would, in some degree, alleviate the concern which every man of taste now feels, at being deprived of viewing those prodigies of art, the cartons of the divine Raphael. King William, although a Dutchman, really loved and understood the polite arts: he had the fine feelings of a man of taste, as well as the sentiments of a hero. He built the princely suite of apartments at Hampton Court, on purpose for the reception of those heavenly guests: the nation at large were then admitted to the rapturous enjoyment of their beauties. They have remained there till this reign: at present, they are perishing in a late baronet's smoky house, (sir Charles Sheffield's,) at the end of a great smoky town. They are entirely secreted from the public eye; yet, sir, they were

purchased with public money, before the accession of the Brunswick line, not brought from Herenhausen. Can there be, sir, a greater mortification to any English gentleman of taste, than to be thus deprived of feasting his delighted view with what he most admired, and had always considered as the pride of our island, as an invaluable national treasure, as a common blessing, not as private property? The kings of France and Spain permit their subjects the view of all the pictures in their collections.

A remarkable opportunity, sir, of improving the national taste in painting, which was lately lost, I hope may now be recovered. The incomparable sir Joshua Reynolds, and some other great painters, who do honour to our country, generously offered the late bishop of London (doctor Richard Terrick) to adorn the cathedral of St. Paul's (a glorious monument of the magnificence of our ancestors,) with some of their most valuable works; but the proposition had to encounter the absurd prejudices of a tasteless and ignorant prelate, which were found to be insuperable. We have the satisfaction at present, of having in the see of London a gentleman not only of solid piety, but of the soundest learning, and of exquisite classical taste (doctor Robert Lowth.) I hope at such a favourable moment, the proposition will be renewed and accepted.

As almost all arts and sciences have a connection with each other, they will likewise give each other mutual assistance; and the beautiful art of engraving, which is now carried among us to an astonishing degree of perfection, will come to the aid of her sister, painting. We have shewn our attention to that art this very session. I hope, hereafter, even in this cold, raw climate, to be warmed with the glowing colours of our own Gobelins' tapestry; and I wish encouragement was given by parliament to that noble manufacture, which, in France, almost rivals the power of painting. The important advantages of such a commerce, too, we may learn from our neighbours.

I am not alarmed, sir, at the great expence which some gentlemen seem to dread, as the inevitable consequence of what I have mentioned. The treasures of a state are well employed in works of national magnificence. The power and wealth of ancient Greece were most seen and admired in the splendour of the temples, and other sublime structures of Pericles. He boasted, that every art would be exerted, every hand employed, every citizen in the pay of the state, and the city not only beautified, but maintained by itself. The sums he expended on the public buildings at Athens, in the most high and palmy state of Greece,* after their brilliant victories over the Persians, diffused riches and plenty among the people at that time, and will be an eternal monument of the glory of that powerful republic. The Pantheon only, or Temple of Minerva, which is said to be the most beautiful piece of antiquity now remaining in the world, and is of the purest white marble, cost, with its statues and sculptures, above 1000 talents—near 200,000 pounds.

One observation here, sir, naturally occurs, which justice to the trustees of the British Museum demands. No public money has ever been more faithfully, more frugally applied to the purposes, for which it has been given, than what they have received. Perhaps the trustees of the British Museum are the only body of men who have never been suspected of want either of fidelity or economy. I think, therefore, we may safely trust them farther: not penuriously, but largely; especially when their accounts are so frequently submitted to our examination.

Learning, sir, and the polite arts have scarcely more than three enemies—ignorance and stupidity always, superstition often. The noble lord with the blue ribband, (lord North) who is at the head of the finances of this country, possesses wit, genius, a great deal of true taste,

* "In the high and palmy state of the monarchy of France."—*Burke.*

and a very cultivated understanding. The most important establishment of this kingdom, in taste and literature, now supplicates his assistance and protection; and I trust the arts will find in him a generous benefactor and a powerful supporter.

SIR W. MEREDITH.

I have already said something in praise of his speeches. They have in them what an old poet calls "veins of nature"—a heart-felt simplicity, before which wit, and elegance, and acuteness, and the pomp of words sink into insignificance.

On frequent Executions.

I AGREE with my honourable friend, (Mr. Combe) that no greater crime can be committed than the wilful setting fire to merchant ships, which may endanger not only lives and properties, but public safety. I should think this crime, above all others, fit to be punished with death, if I could suppose the infliction of death at all useful in the prevention of crimes.

But in subjects of this nature, we are to consider, not what the individual is, nor what he may have done; we are to consider only what is right for public example, and private safety.

Whether hanging ever did, or can, answer any good purpose, I doubt: but the cruel exhibition of every execution day, is a proof that hanging carries no terror with it. And I am confident, that every new sanguinary law operates as an encouragement to commit capital offences; for it is not the mode, but the certainty of punishment, that creates terror. What men know they must endure, they fear; what they think they can escape, they despise. The multiplicity of our hanging

laws has produced these two things; frequency of condemnation, and frequent pardons. As hope is the first and greatest spring of action, if it was so, that out of twenty convicts one only was to be pardoned, the thief would say, "Why may not I be that one?" But since, as our laws are actually administered, not one in twenty is executed, the thief acts on the chance of twenty to one in his favour; he acts on a fair and reasonable presumption of indemnity; and I verily believe, that the confident hope of indemnity is the cause of nineteen in twenty robberies that are committed.

But if we look to the executions themselves, what example do they give? The thief dies either hardened or penitent. We are not to consider such reflections as occur to reasonable and good men, but such impressions as are made on the thoughtless, the desperate and the wicked. These men look on the hardened villain with envy and admiration. All that animation and contempt of death with which heroes and martrys inspire good men in a good cause, the abandoned villain feels in seeing a desperado like himself meet death with intrepidity. The penitent thief, on the other hand, often makes the sober villain think in this way: himself oppressed with poverty and want, he sees a man die with that penitence which promises pardon for his sins here, and happiness hereafter; straight he thinks, that by robbery, forgery, or murder, he can relieve all his wants; and if he be brought to justice, the punishment will be short and trifling, and the reward eternal.

Even in crimes which are seldom or never pardoned, death is no prevention. House-breakers, forgers, and coiners, are sure to be hanged: yet house-breaking, forgery, and coining, are the very crimes which are the oftenest committed. Strange it is, that in the case of blood, of which we ought to be most tender, we should still go on, against reason and against experience, to make unavailing slaughter of our fellow creatures. A recent event has proved that policy will do what blood

cannot do. I mean the late regulation of the coinage. Thirty years together men were continually hanged for coining; still it went on: but on the new regulation of the gold coin, ceased. This event proves these two things: the efficacy of police, and the inefficacy of hanging. But, is it not very extraordinary, that since the regulation of the gold coin, an act has passed, making it treason to coin silver? But has it stopped the coining of silver? On the contrary, do you not hear of it more than ever? It seems as if the law and the crime bore the same date. I do not know what the honourable member thinks who brought in the bill; but perhaps some feelings may come across his own mind, when he sees how many lives he is taking away for no purpose. Had it been fairly stated, and specifically pointed out, what the mischief of coining silver in the utmost extent, is, that hanging bill might not have been so readily adopted: under the name of treason it found an easy passage. I indeed have always understood treason to be nothing less than some act or conspiracy against the life or honour of the king, and the safety of the state: but what the king or state can suffer by my taking now and then a bad sixpence or a bad shilling, I cannot imagine.

By this nickname of treason, however, there lies at this moment in Newgate, under sentence to be burnt alive, a girl just turned of fourteen; at her master's bidding, she hid some white-washed farthings behind her stays, on which the jury found her guilty, as an accomplice with her master in the treason. The master was hanged last Wednesday; and the faggots all lay ready—no reprieve came till just as the cart was setting out, and the girl would have been burnt alive on the same day, had it not been for the humane but casual interference of lord Weymouth. Good God! sir, are we taught to execrate the fires of Smithfield, and are we lighting them now to burn a poor harmless child for hiding a white-washed farthing! And yet, this barbarous sentence, which ought to make men shudder at the thought of

shedding blood for such trivial causes, is brought as a reason for more hanging and burning. It was recommended to me not many days ago, to bring in a bill to make it treason to coin copper, as well as gold and silver. Yet, in the formation of these sanguinary laws, humanity, religion, and policy, are thrown out of the question. This one wise argument is always sufficient; if you hang for one fault, why not for another? If for stealing a sheep, why not a cow or a horse? If for a shilling, why not for a handkerchief that is worth eighteen-pence?—and so on. We therefore ought to oppose the increase of these new laws: the more, because every fresh one begets twenty others.

When a member of parliament brings in a new hanging law, he begins with mentioning some injury that may be done to private property, for which a man is not yet liable to be hanged; and then proposes the gallows as the specific and infallible means of cure and prevention. But the bill, in progress of time, makes crimes capital, that scarce deserve whipping. For instance, the shop-lifting act was to prevent bankers' and silversmiths', and other shops, where there are commonly goods of great value, from being robbed; but it goes so far as to make it death to lift any thing off a counter with intent to steal.

Under this act, one Mary Jones was executed, whose case I shall just mention: it was at the time when press warrants were issued on the alarm about Falkland Islands. The woman's husband was pressed, their goods seized for some debts of his, and she with two small children, turned into the streets a-begging. 'Tis a circumstance not to be forgotten, that she was very young, (under nineteen) and most remarkably handsome. She went to a linen-draper's shop, took some coarse linen off the counter, and slipped it under her cloak; the shopman saw her, and she laid it down: for this she was hanged. Her defence was (I have the trial in my pocket,) "that she had lived in credit and wanted for nothing, till

a press-gang came and stole her husband from her; but, since then she had no bed to lie on; nothing to give her children to eat; and they were almost naked: and perhaps she might have done something wrong, for she hardly knew what she did." The parish officers testified the truth of this story; but it seems there had been a good deal of shop-lifting about Ludgate; an example was thought necessary; and this woman was hanged for the comfort and satisfaction of some shopkeepers in Ludgate-street. When brought to receive sentence, she behaved in such a frantic manner, as proved her mind to be in a distracted and desponding state; and the child was sucking at her breast when she set out for Tyburn.

Let us reflect a little on this woman's fate. The poet says, "an honest man's the noblest work of God." He might have said with equal truth, that a beauteous woman's the noblest work of God.

But for what cause was God's creation robbed of this its noblest work? It was for no injury; but for a mere attempt to clothe two naked children by unlawful means. Compare this with what the state did, and with what the law did. The state bereaved the woman of her husband, and the children of a father, who was all their support; the law deprived the woman of her life, and the children of their remaining parent, exposing them to every danger, insult, and merciless treatment, that destitute and helpless orphans suffer. Take all the circumstances together, I do not believe that a fouler murder was ever committed against law, than the murder of this woman by law. Some who hear me, are perhaps blaming the judges, the jury, and the hangman; but neither judge, jury, nor hangman are to blame, they are but ministerial agents; the true hangman is the member of parliament: he who frames the bloody law is answerable for all the blood that is shed under it. But there is a farther consideration still. Dying as these unhappy wretches often do, who knows what their future lot may be! Perhaps, my

honourable friend who moves this bill, has not yet considered himself in the light of an executioner; no man has more humanity, no man a stronger sense of religion than himself; and I verily believe, that at this moment he wishes as little success to his hanging law, as I do. His nature must recoil at making himself the cause, not only of shedding the blood, but perhaps destroying the soul of his fellow creature.

But the wretches who die are not the only sufferers; there are more and greater objects of compassion still;—I mean the surviving relations and friends. Who knows how many innocent children we may be dooming to ignominy and wretchedness? Who knows how many widows' hearts we may break with grief, how many grey hairs of parents we may bring with sorrow to the grave?

The Mosaic law ordained, that for a sheep or an ox, four and five fold should be restored: and for robbing a house, double; that is, one fold for reparation, the rest for example; and the forfeiture was greater, as the property was more exposed. If the thief came by night, it was lawful to kill him: but if he came by day he was only to make restitution; and if he had nothing, he was to be sold for his theft. This is all that God required in felonies, nor can I find in history any sample of such laws as ours, except a code that was framed at Athens by Draco. He made every offence capital, upon this modern way of reasoning: "That petty crimes deserved death, and he knew nothing worse for the greatest." His laws, it was said, were written, not with ink, but with blood; but they were of short duration, being all repealed by Solon, except one, for murder.

An attempt was made some years ago by my hon. friend, sir Charles Bunbury, to repeal some of the most absurd and cruel of our capital laws. The bill passed this house, but was rejected by the lords, for this reason: "It was an innovation, (they said) and subversion of law." The very reverse is truth. These hanging laws

are themselves innovations. No less than three-and-thirty of them passed during the last reign. I believe, I myself was the first person who checked the progress of them. When the great Alfred came to the throne, he found the kingdom overrun with robbers; but the silly expedient of hanging never came into his head: he instituted a police, which was, to make every township answerable for the felonies committed in it. Thus property became the guardian of property; and all robbery was so effectually stopped, that (the historians tell us in a very short time a man might travel through the kingdom, unarmed, with his purse in his hand.

Treason, murder, rape, and burning a dwelling house, were all the crimes that were liable to be punished with death by our good old common law. And such was the tenderness, such the reluctance to shed blood, that if recompence could possibly be made, life was not to be touched. Treason being against the king, the remission of that crime was in the crown. In case of murder itself, if compensation could be made, the next of kin might discharge the prosecution, which, if once discharged, could never be revived. If a ravisher could make the injured woman satisfaction, the law had no power over him; she might marry the man under the gallows, if she pleased, and take him from the jaws of death to the lips of matrimony. But so fatally are we deviated from the benignity of our ancient laws, that there is now under sentence of death an unfortunate clergyman, who made satisfaction for the injury he attempted: the satisfaction was accepted; and yet the acceptance of the satisfaction, and the prosecution bare the same date.

There does not occur to my thoughts a proposition more abhorrent from nature, and from reason, than that in a matter of property, when restitution is made, blood should still be required. But in regard to our whole system of criminal law, and much more to our habits of thinking and reasoning upon it, there is a sentence of the great Roman orator, which I wish those who hear me

to remark. Exhorting the senate to put a stop to executions, he says, "*Nolite, quirites, hanc sævitiam diutius pati; quæ non modo tot cives atrocissime sustulit, sed humanitatem ipsam ademit consuetudine incommodorum.*"

Having said so much on the general principles of our criminal laws, I have only a short word or two to add, on the two propositions now before us: one, as moved by the hon. gentleman (Mr. Combe) to hang persons that wilfully set fire to ships; the other, moved as an amendment by my hon. friend (Sir Charles Bunbury) is, to compel such offenders to work seven years on the Thames.

The question arises from the alarming events of the late fires at Portsmouth and Bristol; for which the incendiary is put to death. But, will an act of parliament prevent such men as John the Painter from coming into the world, or control them when they are in it? You might as well bring in a bill to prevent the appearance, or regulate the motions, of a comet. John the Painter was so far from fearing death, that he courted it; was so far from concealing his act, that he told full as much as was true, to his own conviction. When once a villain turns enthusiast, he is above all law. Punishment is his reward, and death his glory. But, though this law will be useless against villains, it is dangerous, and may be fatal to many an innocent person. There is not an honest industrious carpenter or sailor, who may not be endangered in the course of his daily labour: they are constantly using fire and combustible matter about shipping, tarring and pitching, and caulking: accidents are continually happening; and who knows how many of these accidents may be attributed to design? Indeed, the act says, the firing must be done *wilfully and maliciously;* but judges and juries do not always distinguish right between the fact and the intention. It is the province of a jury only to try the fact by the intention; but they are too apt to judge of the intention by the fact. Justices of peace, however, are not famed for accurate and nice distinctions; and all the horrors of an ig-

nominious death would be too much to threaten every honest shipwright with, for what may happen in the necessary work of his calling.

But, as I think punishment necessary for so heinous an offence, and, as the end of all punishment is example; of the two modes of punishment, I shall prefer that which is most profitable in point of example. Allowing then the punishment of death its utmost force, it is only short and momentary; that of labour, permanent; and so much example is gained in him who is reserved for labour, more than in him who is put to death, as there are hours in the life of the one, beyond the short moment of the other's death.

EARL OF CHATHAM.

On the Address.

My lords, I most chearfully agree with the first paragraph of the address moved by the noble lord. I would even go and prostrate myself at the foot of the throne, were it necessary, to testify my joy at any event which may promise to add to the domestic felicity of my sovereign; at any thing which may seem to give a further security to the permanent enjoyment of the religious and civil rights of my fellow subjects; but while I do this, I must at the same time express my strongest disapprobation of the address, and the fatal measures which it approves. My lords, it was customary for the king, on similar occasions, not to lead parliament, but to be guided by it. It was usual, I say, my lords, to ask the advice of this house, the hereditary great council of the nation, not to dictate to it. My lords, what does this speech say? It tells you of measures already agreed upon, and very cavalierly desires your concurrence. It, indeed, talks

of wisdom and support; it counts on the certainty of events yet in the womb of time; but in point of plan and design, it is peremptory and dictatorial. Is this a a proper language, fit to be endured? Is this high pretention to over-rule the dispositions of Providence itself, and the will and judgment of parliament, justified by any former conduct or precedent? No, my lords, it is the language of an ill-founded confidence: a confidence, my lords, I will be bold to say, supported hitherto only by a succession of disappointments, disgraces, and defeats. I am astonished how any minister dare advise his majesty to hold such a language to your lordships: I would be glad to see the minister that dare avow it in his place. What is the import of this extraordinary application? What, but an unlimited confidence in those who have hitherto misguided, deceived, and misled you? It is, I maintain, unlimited: it desires you to grant not what you may be satisfied is necessary, but what his majesty's ministers may choose to think so; troops, fleets, treaties, and subsidies, not yet revealed. Should your lordships agree to the present address, you will stand pledged to all this; you cannot retreat; it binds you to the consequences, be they what they may. My lords, whoever gave this pernicious counsel to the king ought to be made answerable to this house, and to the nation at large for the consequences: the precedent is dangerous and unconstitutional. Who, I say, has had the temerity to tell the king that his affairs are in a prosperous condition? and who, of course, is the author of those assurances which are this day given you, in order to mislead you? My lords, what is the present state of this nation? It is big with difficulty and danger; it is full of the most destructive circumstances: I say, my lords, it is truly perilous. What are these little islands, Great Britain and Ireland? What is your defence? Nothing. What is the condition of your formidable and inveterate enemies, the two leading branches of the house of Bourbon? They have a formidable navy: I

say, my lords, their intentions are hostile: I know it: their coasts are lined with troops, from the furthermost part of the coast of Spain up to Dunkirk. What have you to oppose them? Not five thousand men in this island; nor more in Ireland; nor above twenty ships of the line manned and fit for service. My lords, without peace, without an immediate restoration of tranquillity, this nation is ruined. What has been the conduct of your ministers? How have they endeavoured to conciliate the affection and obedience of their American brethren? They have gone to Germany; they have sought the alliance and assistance of every pitiful, beggarly, insignificant, paltry German prince, to cut the throats of their loyal, brave, and injured brethren in America; they have entered into mercenary treaties with those human butchers, for the purchase and sale of human blood. But, my lords, this is not all; they have entered into other treaties; they have let the savages of America loose upon their innocent, unoffending brethren,—loose upon the weak, the aged, and defenceless; on old men, women, and children; upon the very babes upon the breast, to be cut, mangled, sacrificed, broiled, roasted, nay, to be literally eat alive. These, my lords, are the allies Great Britain now has: carnage, desolation, and destruction, wherever her arms are carried, is her newly adopted mode of making war.* Our ministers have made alliances at the German shambles, and with the barbarians of America; with the merciless tortures of their species: where they will next apply, I cannot tell: for my part, I should not be surprised if their next league was the king of the gypsies; having already scoured all Germany and America, to seek the assistance of cannibals and butchers. The arms of this country are disgraced, even in victory, as well as defeat. Is this

* ——— "and at his heels,
Leash'd in like hounds, should Famine, Sword, and Fire,
Crouch for employment."—*Henry V.*

consistent, my lords, with any part of our former conduct? Was it by means like these we arrived at that pinnacle of fame and grandeur, which, while it establihsed our reputation in every quarter of the globe, gave the fullest testimony of our justice, mercy and national integrity? Was it by the tomahawk and scalping-knife that British valour and humanity became in a manner proverbial, and the triumphs of war and the *eclat* of conquest became but matters of secondary praise, when compared to those of national humanity, and national honour? Was it by setting loose the savages of America, to embrue their hands in the blood of our enemies, that the duties of the soldier, the citizen, and the man, came to be united? Is this honourable warfare, my lords? Does it correspond with the language of the poet?—

> "The pride, pomp, and circumstance of glorious war,
> That makes ambition virtue."

THOMAS (LORD) LYTTLETON,

Succeeded his father in 1773. He was a young man of great talents, but very profligate in his manners. He died in 1779, at the age of 35.

On American Affairs.

He lamented the fate of general Burgoyne, on whom, as an officer and a man, he bestowed the highest encomiums, and wished, while the noble earl had been so profuse of his commendations, he had acted with more real candour, and not, as by the effect of the present motion, were it to be agreed to, called that unfortunate but able and brave officer's conduct in question, and exposed him in his absence to an enquiry in which it would be impossible to defend himself. He objected to the intelligence; said it could not come properly before the house. It was but rumour, and as such, was no solid foun-

dation for a parliamentary enquiry. He avowed himself as good and genuine a whig as the noble earl. He had been bred in all the principles of whiggism from his earliest days, and should persevere in them to the end. He loved the principles of whiggism, as much as he despised those of anarchy and republicanism. But if the bare name of whig was all that was meant, he disdained the name. If an impatience under every species of constitutional government, if a resistance to legal restraint, if the abetting of rebels, was the test of modern whiggism, he begged leave to be excluded, as not one avowing or professing such doctrines. He would, indeed, much rather share the odium which had been unjustly cast upon another set of men, and be accounted a tory, in preference to a modern whig. His lordship then entered into a general consideration of the question of right between this country and America. He said the noble lords on the other side of the house had acknowledged the war to be popular. He was convinced it was, more than any other he ever recollected. The supremacy of this country was at stake. Shall we then forego all our just rights, rights, I will be bold to say, on which the very existence of this country depends, for a single check, when it is notorious that we have been victorious in every other quarter where our arms have been carried? Shall we crouch to America, because, allowing the fact to be true, we have met with one disaster? This was not the language of the noble lord heretofore. He once rescued this country from impending ruin; and I call upon the noble lord to declare, if he was now at the head of his majesty's counsels, would he despair? Would he advise this country to humiliate itself, and sue for peace to America? or if he was of that opinion, does he think that America would either accede to terms he thinks reasonable, or desist, even though we should declare her independent from farther pretensions? I know the noble earl too well to believe he could be so far deceived: look on the other effect of such a procedure. We humble ourselves to

our rebellious subjects. What, in that event, would all Europe think of us? What would our ancient enemies, France and Spain? Would they not actually realize what it is now pretended they have in contemplation? They would despise as well as detest us. It would operate to afford them the highest encouragement to attack us. They would immediately conclude, that we were weak, defenceless, pusillanimous; that we were emptied of all that spirit of military glory and national pride that has hitherto proved our best defence. They would look on us as a nation of merchants, poor, tame, grovelling and mercenary; they would no longer envy, they would despise us; such a conduct would fill them with confidence, and that confidence would most assuredly terminate in our utter destruction. It is necessary, therefore, even in that light, to act with vigour, to combat our misfortunes with resolution. It will have a double good effect; it will serve to convince both our domestic and foreign enemies, of our strength, courage, and resources; and will, I maintain on good ground, be the best security for our own safety, and the only effectual means of bringing about those events which the noble earl has this night drawn in such strong and inviting colours.

His lordship entered fully into the great question of parliamentary supremacy; and endeavoured to prove that it must be supported in its true constitutional extent, otherwise the nation would be undone. He did not, he said, presume to point out the precise terms; but even the noble earl himself had admitted the necessity of American dependency. He was firmly persuaded that the supreme right even to tax, though parliament was willing to relax, could not be given up. Parliament could not give up the rights of the empire: they were inherent; they were inalienable; and the great controlling superintending power of the state was inviolable and indivisible. We were, he said, contending for the very existence of the empire; should America prevail,

instead of submitting to acts of navigation from hence, she would prescribe them to us. The right of binding America in all cases whatsoever, we clearly possessed; and he trusted he should never see it relinquished. We should always maintain the right, though, at least for the present, it might be inexpedient to exercise it. The supremacy of the legislature extended to every part of the British empire; nay, in a case of emergency, he was clear we had a right to tax Ireland; that emergency had never arose, for that country was always ready to contribute fairly and equitably to her share of the public burthens. But if an event should happen to call the right in question, he was clear that the right was with us. Would America consent to do as Ireland had done? Would she give support in return for protection? If she would, though he did not pretend to advise, not having the honour to assist in his majesty's councils, that might be a proper ground perhaps to go upon; but no step towards conciliation could be taken consistently with the rights and dignity of this country, till the supreme right of this legislature was first acknowledged in all its parts; till they owned themselves subjects; till they submitted to the supremacy of this country. He said, a great deal of blame had been thrown upon ministers this night, as if the measures pursued relative to America were solely their measures. Was that really the case? By no means; they were the measures of parliament, of the whole nation: they were measures which almost every Briton approved of. Parliament, in the most full and solemn manner, had given them the fullest public sanction. They echoed in so doing nothing but the voice of the nation; and shall one little check, said his lordship, induce us to desert? No; I trust, as Englishmen, feeling the treachery, perfidy, and ingratitude of our rebellious and unnatural subjects, it will inspire us, and call forth that spirit which has always led us to victory. His lordship condemned in particular, the absurdity of immediately withdrawing our troops, as suggested by the

noble earl, as a preparatory step to negociation, now become necessary. On the contrary, if negociation and peace were real objects to be attained, so far from such a measure having the desired effect, he believed, upon his honour, the Americans would laugh at us for our want of spirit, or impute it to imbecility, and the want of means either to assert our rights, or maintain our national reputation. His lordship next observed, that the noble earl had mentioned, that America was subordinate and dependent on this country, and contended, as the true test of subordination, that the navigation act should be preserved inviolate in all its branches; yet the effect of the noble earl's speech is calculated to prove that we were not able to inforce that act, nor of course that constitutional dependence of which he supposes it to be the true basis. He had heard the noble earl say, "that if America persisted in asserting her independence, after the troops had been withdrawn, he would throw himself in their way." What could he mean by such a declaration, unless that of acknowledging the impossibility of subduing them by evacuating those ports we have got, which no future force could perhaps regain? For if they were thus left to the exercise of their own will they would not only be independent of this country, but in the course of twenty years, America, when she had established her marine, would be a superior empire. In reply to that part of lord Chatham's speech in which he denied ever officially sending out orders for hiring the Indian savages to wage war against the French; his lordship observed, that savages were employed on that occasion, and in great numbers; and though perhaps not under the express direction of the noble earl, the measure was notwithstanding his, since the officers, so far from being called to any account for it by him, were at least tacitly justified in the deed. As to giving up the idea of subduing America, because we had been in one instance unfortunate, it was a proposition every way disgraceful to Britons. What would the house of Bourbon

think of such unexampled pusillanimity? Would she not conclude us an exhausted nation, and this a fit moment for her to wreak her vengeance on us? His lordship here apologized for the warmth into which the subject had betrayed him; but said he should have had to accuse himself, if he had permitted the supposed fears of a British senate, to get into the world, without rising up, and shewing the folly of them. He was much astonished at the great parade the noble earl had made respecting the tomahawk and scalping-knife;—was an Indian knife a more dreadful weapon than an Englishman's bayonet? In the present war the chief of the blood which had been shed, was shed by the point of the bayonet; yet who talked of the bayonet as a savage instrument of war? He wished as heartily as any noble lord present for a happy and honourable end of the contest, and perhaps the late misfortune might make it proper to hold out terms to America. He wished not, how ever, that it should induce us to withdraw our troops, as such a fatal measure would most assuredly give America a superiority and advantage we should never be able to surmount. It would be indeed at once rendering her independent; and the moment America was lost, Great Britain would be ruined and undone.

DUKE OF MANCHESTER.

On the same subject.

Charged lord Cardiff with inconsistency, declaring that he had shewn the American war to be impracticable as to any good purpose, and yet advised administra-

tion to continue it with all possible exertion, His grace particularly complained of the ministry's withholding every species of necessary information from parliament. His grace drew a parallel between the probable fate of Britain and that of the Athenian commonwealth, respecting their Sicilian colonies. He said the oppression which Athens exercised over its colonies in the island of Sicily having caused the revolt of the Sicilians, the Sicilians, obediently and friendlily inclined, petitioned, and at length remonstrated, but all to no purpose; they must be subdued. Armies were sent from Athens; they met with difficulties; they were defeated. New levies were made; still victory declared in favour of those who were fighting for what they deemed their rights. The Athenian armies were unsuccessful. At this critical period arose a great popular speaker, who was likewise a soldier (adverting to the conduct of Nicias and Alcibiades.) He made speeches, he proved the justice of the war; he prophesied success; he got the command of the army. What was the issue? The army was cut off; he fell himself; Sicily was lost: Athens was drained, exhausted and weakened; she became a prey to her ambitious neighbour, the state of Sparta. The pride and power and military glory of Athens was no more: her rival Sparta gave her laws, armies, protection, and legislators; and such was the fate of that once glorious republic. The people of this country had been spirited up in a similar manner; they had been deluded and imposed upon by specious tales and inflammatory speeches. Mr. Burgoyne's blind efforts to penetrate through Canada were like the land march of the Athenian generals towards Syracuse: they were equally brave; but their plans being both unjust, and wanting wisdom, their fortitude was unjustifiable; and he was very apprehensive, from similitude of circumstances, that the issue upon the whole would be precisely the same; that of certain ruin and destruction falling on the head of the aggressor.

EARL OF CHATHAM.

On Lord Oxford's Motion to adjourn the House.

It is not with less grief than astonishment I hear the motion now made by the noble earl, at a time when the affairs of this country present on every side prospects full of awe, terror, and impending danger; when, I will be bold to say, events of a most alarming tendency, little expected or foreseen, will shortly happen; when a cloud, that may crush this nation, and bury it in destruction for ever, is ready to burst and overwhelm us in ruin. At so tremendous a season, it does not become your lordships, the great hereditary council of the nation, to neglect your duty, to retire to your country seats for six weeks, in quest of joy and merriment, while the real state of public affairs calls for grief, mourning, and lamentation; at least, for the fullest exertions of your wisdom. It is your duty, my lords, as the grand hereditary council of the nation, to advise your sovereign, to be the protectors of your country, to feel your own weight and authority. As hereditary counsellors, as members of this house, you stand between the crown and the people; you are nearer the throne than the other branch of the legislature; it is your duty to surround and protect, to counsel and supplicate it. You hold the balance; your duty is to see that the weights are properly poised, that the balance remains even, that neither may encroach on the other, and that the executive power may be prevented, by an unconstitutional exertion of even constitutional authority, from bringing the nation to destruction. My lords, I fear we are arrived at the very brink of that state; and I am persuaded

that nothing short of a spirited interposition on your part, in giving speedy and wholesome advice to your sovereign, can prevent the people from feeling beyond remedy the full effects of that ruin which ministers have brought upon us. These calamitous circumstances ministers have been the cause of: and shall we, in such a state of things, when every moment teems with events productive of the most fatal narratives, shall we trust, during an adjournment of six weeks, to those men who have brought those calamities upon us, when, perhaps, our utter overthrow is plotting, nay ripe for execution, without almost a possibility of prevention? Ten thousand brave men have fallen victims to ignorance and rashness. The only army you have in America may, by this time, be no more. This very nation remains no longer safe than its enemies think proper to permit. I do not augur ill. Events of a most critical nature may take place before our next meeting. Will your lordships, then, in such a state of things, trust to the guidance of men who in every single step of this cruel, this wicked war, from the very beginning, have proved themselves weak, ignorant, and mistaken? I will not say, my lords, nor do I mean any thing personal, or that they have brought premeditated ruin on this country. I will not suppose that they foresaw what has since happened; but I do contend, my lords, that their want of wisdom, their incapacity, their temerity in depending on their own judgment, or their base compliances with the orders and dictates of others, perhaps caused by the influence of one or two individuals, have rendered them totally unworthy of your lordships' confidence, of the confidence of parliament, and those whose rights they are the constitutional guardians of, the people at large. A remonstrance, my lords, should be carried to the throne. The king has been deluded by his ministers: they have been imposed on by false information, or have, from motives best known to themselves, given apparent credit to what they have been convinced in

their hearts was untrue. The nation has been betrayed into the ruinous measure of an American war by the arts of imposition, by their own credulity, through the means of false hopes, false pride, and promised advantages, of the most romantic and improbable nature. My lords, I do not wish to call your attention entirely to that point. I would fairly appeal to your own sentiments, whether I can be justly charged with arrogance or presumption, if I said, great and able as ministers think themselves, that all the wisdom of the nation is not confined to the narrow circle of their petty cabinet. I might, I think, without presumption, say, that your lordships, as one of the branches of the legislature, may be supposed as capable of advising your sovereign, in the moment of difficulty and danger, as any lesser council, composed of a fewer number; and who, being already so fatally trusted, have betrayed a want of honesty, or a want of talents. Is it, my lords, within the utmost stretch of the most sanguine expectation, that the same men who have plunged you into your present perilous and calamitous situation are the proper persons to rescue you from it? No, my lords, such an expectation would be preposterous and absurd. I say, my lords, you are now specially called upon to interpose. It is your duty to forego every call of business and pleasure, to give up your whole time to inquire into past misconduct; to provide remedies for the present; to prevent future evils; to *rest on your arms*, if I may use the expression, to watch for the public safety; to defend and support the throne, and if fate should so ordain it, to fall with becoming fortitude, with the rest of your fellow-subjects, in the general ruin. I fear this last must be the event of this mad, unjust, and cruel war. It is your lordships' duty to do every thing in your power that it shall not; but, if it must be so, I trust your lordships and the nation will fall gloriously.

My lords, as the first and most immediate object of your enquiry, I would recommend to you to consider

the true state of our home defence. We have heard much from a noble lord in this house, of the state of our navy. I cannot give an implicit belief to all I have heard on that important subject. I still retain my former opinion relative to the number of line-of-battle ships, but as an enquiry into the real state of the navy is destined to be the subject of future consideration, I do not wish to hear any more about it till that period arrives. I allow, in argument, that we have thirty-five ships of the line fit for actual service. I doubt much whether such a force would give us full command of the channel. I am certain, if it did, every other part of our possessions must lie naked and defenceless, in every quarter of the globe.

I fear our utter destruction is at hand. (Here and in many other parts of his speech, his lordship broadly hinted, that the house of Bourbon was meditating some important and decisive blow near home.*) What, my lords, is the state of our military defence? I would not wish to expose our present weakness; but weak as we are, if this war should be continued, as the public declaration of persons in high confidence with their sovereign would induce us to suppose, is this nation to be entirely stripped? And if it should, would every soldier now in Britain be sufficient to give us an equality to the force of America? I will maintain they would not; where then will men be procured? Recruits are not to be had in this country. Germany will give no more. I have read in the newspapers of this day, and I have reason to believe it true, that the head of the Germanic body has remonstrated against it, and has taken measures accordingly to prevent it. Ministers have, I hear, applied to the Swiss Cantons. The idea is preposterous. The Swiss never permit their troops to go beyond sea. But, my lords, even if men were to be procured in Germany, how will you march them to the water-side? Have

* There seems to be a little quackery in all this.

not our ministers applied for the port of Embden, and has it not been refused? I say, you will not be able to procure men even for our home defence, if some immediate steps be not taken. I remember during the last war, it was thought advisable to levy independent companies: they were when completed, formed into battalions, and proved of great service. I love the army, I know its use; but I must nevertheless own, that I was a great friend to the measure of establishing a national militia. I remember the last war, that there were three camps formed of that corps at once in this kingdom. I saw them myself; one at Winchester, another in the West, at Plymouth; and a third, if I recollect right, at Chatham. Whether the militia is at present in such a state as to answer the valuable purposes it did then, or is capable of being rendered so, I will not pretend to say; but I see no reason why, in such a critical state of affairs, the experiment should not be made, and why it may not be put again on the former respectable footing.* I remember, all circumstances considered, when appearances were not nearly so melancholy and alarming as they are, that there were more troops in the county of Kent alone, for the defence of the kingdom, than there are now in the whole island.

My lords, I contend that we have not, nor can procure, any force sufficient to subdue America. It is monstrous to think of it. There are several noble lords present, well acquainted with military affairs. I call upon any one of them to rise and pledge himself, that the military force now within the kingdom is adequate to its defence, or that any possible force to be procured from Germany, Switzerland, or elsewhere, will be equal to the conquest of America. I am too perfectly persuaded of their abilities and integrity to expect any such assistance from them.—Oh! but if America is not to be conquered, she may be treated with.—Conci-

* This was afterwards done.

liation is at length thought of; terms are to be offered. Who are the persons that are to treat on the part of this afflicted and deluded country? The very men who have been the authors of our misfortunes; the very men who have endeavoured by the most pernicious policy, the highest injustice and oppression, the most cruel and devastating war, to enslave those people they would conciliate, to gain the confidence and affection of those who have survived the Indian tomahawk and German bayonet. Can your lordships entertain the most distant prospect of success from such a treaty and such negociations? No, my lords, the Americans have virtue, and they must detest the principles of such men; they have understanding, and too much wisdom, to trust to the cunning and narrow politics which must cause such overtures on the part of their merciless persecutors. My lords, I maintain that they would shun, with a mixture of prudence and detestation, any proposition coming from that quarter. They would receive terms from such men, as snares to allure and betray. They would dread them as ropes meant to be put about their legs, in order to entangle and overthrow them in certain ruin. My lords, supposing that our domestic danger, if at all, is far distant; that our enemies will leave us at liberty to prosecute this war to the utmost of our ability; suppose your lordships should grant a fleet one day, an army another; all these, I do affirm, will avail nothing, unless you accompany it with advice. Ministers have been in error: experience has proved it; and what is worse, they continue it; they told you in the beginning, that 15,000 men would traverse all America, without scarcely an appearance of interruption; two campaigns have passed since they gave us this assurance. Treble that number have been employed; and one of your armies, which composed two-thirds of the force by which America was to be subdued, has been totally destroyed, and is now led captive through those provinces you call rebellious. Those men whom you called cowards, pol-

trons, runaways, and knaves, are become victorious over your veteran troops; and, in the midst of victory, and flush of conquest, have set ministers an example of moderation and magnanimity well worthy of imitation.

My lords, no time should be lost which may promise to improve this disposition in America; unless, by an obstinacy founded in madness, we wish to stifle those embers of affection which, after all our savage treatment, do not seem as yet to have been entirely extinguished. While on one side we must lament the unhappy fate of that spirited officer, Mr. Burgoyne, and the gallant troops under his command, who were sacrificed to the wanton temerity and ignorance of ministers, we are as strongly compelled on the other to admire and applaud the generous, magnanimous conduct, the noble friendship, brotherly affection, and humanity of the victors, who condescending to impute the horrid orders of massacre and devastation to their true authors, supposed that, as soldiers and Englishmen, those cruel excesses could not have originated with the general, nor were consonant to the brave and humane spirit of a British soldier, if not compelled to it as an act of duty. They traced the first cause of those diabolic orders to their true source; and, by that wise and generous interpretation, granted their professed destroyers terms of capitulation which they could be only entitled to as the makers of fair and honourable war.

My lords, I should not have presumed to trouble you, if the tremendous state of this nation did not, in my opinion, make it necessary. Such as I have this day described it to be, I do maintain it is. The same measures are still persisted in; and ministers, because your lordships have been deluded, deceived and misled, presume that whenever the worst comes, they will be enabled to shelter themselves behind parliament. This, my lords, cannot be the case; they have committed themselves and their measures to the fate of war, and they must abide the issue. I tremble for this country;

I am almost led to despair that we shall ever be able to extricate ourselves. At any rate, the day of retribution is at hand, when the vengeance of a much injured and afflicted people, will, I trust, fall heavily on the authors of their ruin; and I am strongly inclined to believe, that before the day to which the proposed adjournment shall arrive, the noble earl who moved it, will have just cause to repent of his motion.

MR. DUNNING.

His Speech on Cases brought before the Admiralty Board.

He said, he did not mean to rise at so late an hour, had not some law positions, of the most extraordinary texture and tendency he ever heard, within or without the walls of that house, fallen from a learned and hon. gentleman who had just sat down. Were it not for his rank in his profession, he should have remained silent; but as that circumstance might have a tendency to impose and mislead some one auditor or other, he thought it his duty to pay a little attention to the arguments of his learned friend. It would, he believed, be sufficient only to state the argument, in order to shew the gross absurdity with which it was fraught.

The learned gentleman set out with describing the admiralty board as a piece of mere official mechanism, without any power or function but what was imparted to it by the statute. The learned gentleman, taking this for granted, follows it with another assertion, which we are instructed to give credit to upon the same authority. He tells you, that the admiralty board is thus mechanized by act of parliament. I admire the ingenuity of the learned gentleman. He has made one as-

sertion without proof, and expects that you should believe his second assertion, upon the modest claim that the first was incontrovertibly established. After dwelling some time on the structure of the learned gentleman's logic, he next proceeded to examine the several parts of what he called this curious piece of mechanism; and the degrees of impulsive motion supposed to be communicated to it by the act of parliament.

The accusation is delivered to the board; the board may or may not examine the charge; for if they do, according to the learned gentleman's argument, it can be to no manner of purpose, farther than that of gratifying an idle, or of being punished in their feelings by a painful curiosity.

But examine or not, be the accusation ever so absurd, malicious, or improbable, the party accused must have immediate notice of trial. If I have pushed the argument further than it was stated, I desire to be corrected. Now, I would ask the learned gentleman, or the noble lord who has so often risen in this debate, whether the board thus mechanically restricted, have in fact any power at all?

Might not any accusation be as well delivered to an inferior clerk, or the office-keeper, as to the board? The effect would be equally the same in one event as the other, if the accusation was lodged with the fire-lighter as with the first commissioners; and the numerous evils arising from such an unlimited licence to accuse, and such an uniform ministerial acquiescence in the pretended obligation to bring every such accusation into actual existence, as the first ministerial step to immediate trial, be past remedy or correction. After saying that the board had always a deliberative and discretional power to receive or reject, and that the act of the 22d Geo. II. neither divested, curtailed or altered that power, he proceeded to controvert the principles of law maintained by his learned antagonist. The first, he said, was the position, that there were instances in our laws,

in which no interpositional power stood between the accused and the accuser. He defied the learned gentleman to support it by a single case or example. If in all instances a grand jury was not resorted to, there was a discretional power provided to answer the same end. Such was the case in all criminal prosecutions by way of information, in the court of kings bench, in extraordinary cases, for the speedy furtherance of justice. That the party accusing was to come into court substantially, on the same terms that he would come before a grand jury. He or his counsel must state the grounds of his application for justice: he must give his reasons, and before any step is taken to admit him an accuser, notice by rule must be served upon the opposite party: after which the parties are heard face to face upon the merits; and the judges, after full deliberation in open court, either grant the application made by the accuser, or, by refusing it, send him back to the ordinary remedy of procuring justice in the courts of criminal jurisdiction. As to the other extraordinary argument, that every man professional or not professional, however innocent or respectable, was liable to be put upon his trial, on the accusation of the most worthless or profligate of his species; this, he contended, was equally erroneous and fallacious: for he knew no one single instance from the highest to the lowest criminal act with which a man was charged, that some power did not interpose between him and his accuser. What he had now mentioned, was already a full and sufficient answer; he would, however, repeat it, that no man could be put upon his trial, till a bill was found against him by a grand jury, or until an accusation brought against him was deliberated upon, either in parliament, or the court of king's bench, and the probable truth of the charge fully proved, to the satisfaction of those to whom the constitution had delegated this discretionary power. He said, he was really ashamed to trespass on the house upon a matter so plain in itself; and he was astonished to hear such absurdity

obtruded upon the discernment and good sense of a house of parliament. Nothing but the gross texture of the imposition attempted to be put upon it could have induced him to rise, because the question was not that properly before the house: but if not proper or further notice should be taken, or explanation given, he meant to make this monstrous doctrine the separate subject of some future day; and pledged himself to prove, that the admiralty board had the discretional power he now contended for, and which in the course of the debate, had been so ably urged by several gentlemen on that side of the house.

SIR CHARLES BUNBURY.

On bringing up the Report of the Recruiting Bill,

Rose and said, he took the liberty of then addressing the house, and he was the rather assured of the indulgence and patience of gentlemen, because he so very rarely called upon them to exercise either the one or the other. His sentiments, he protested, arose from no factious view, no wish to oppose government, no desire to gratify party, they were the sincere sentiments of his heart, the offspring of his feelings, unprompted, untutored, and uncommunicated. Such as they were he submitted them to the judgment of the house.

He did not by any means approve of the principle of the present bill, which was confessedly calculated to recruit our armies for the purpose of carrying on a ruinous offensive war in America; a war which, in his opinion, ought for every reason of policy and humanity to be abandoned. If we wished to retrieve ourselves from our desperate situation, and to avoid impending ruin, the

only means of effecting so desirable an end consisted, not in recruiting our armies, but in recruiting our councils. Enlist new ministers, and pursue new measures. Not that he meant to have it understood that he was one of the general herd of complainers, or that he considered our past misfortunes as an incontrovertible proof of the want of wisdom in administration. He had no such idea; on the contrary, he knew that several of those who were employed in the first offices of government were men of sound judgment, unimpeachable integrity, and extensive talents; but when he considered the tremendous state of national affairs, he thought that all the men of abilities, let them be of what party they would, should be called upon for their advice and assistance. He therefore wished most anxiously that gentleman would forego their animosities, their prejudices, and their passions; that a coalition of parties might take place and unanimity of sentiment might once more prevail.

From unanimity, and the exertion of a general zeal to save the kingdom, he said, he alone expected that immediate ruin could be avoided. He had little skill as an artist; but there were great and masterly painters on both sides the chair; the picture of the country, which had been more than once drawn by the Salvator Rosas of the opposite side of the house, was a capital exhibition; it was grand and sublime, but dreadful and alarming. The honourable gentleman who proposed the bill was a more flattering artist, and had given a very different view indeed of the same country. If the likeness was not so striking, if his outline was not so true and accurate as that of the gentleman of the opposite school, he had amply compensated for this trifling defect, by a richness of colouring, a brilliancy of sky, a glow of tints, which would have done honour to a Claude Lorrain. He was no painter, but something like his brother,* though with inferior powers of pencil; any thing therefore that he should attempt to delineate,

* Mr. H. Bunbury.

would be found to be a mere sketch, a rough outline, a rude daubing.* To drop all metaphor, he was far, as he had before said, from thinking all the present ministry wanting in capacity. The noble lord in the blue ribbon was possessed of a sound understanding, an honest mind, and most respectable abilities. The learned gentleman who had lately left that house in consequence of his promotion to a high office, he had often listened to with pleasure. His manly sense, quick discernment, profound sagacity, and great professional knowledge, his love of justice, and his firmness of mind, qualified him in the fullest manner to be the adviser of his king, in a moment of so much danger, and in which the counsel of wise and upright men was so essentially necessary as at present. When he considered the gentlemen on the opposite side of the house, he saw among them men of the first abilities, and men whose talents might at this crisis be exercised equally to their own honour and the service of the state. (Sir Charles then spoke of the talents of three gentlemen of the opposition, Mr. Burke, Mr. Dunning, and Mr. Fox, in terms of the highest panegyric.)

The fruitful imagination of the first, his brilliancy of thought, powerful eloquence, strict integrity of conduct, and refined delicacy of sentiment, he said, pointed him out as a fit person to be employed in government. With regard to the second, his great knowledge of both professional and political affairs, his keen and penetrating perception, his sound understanding, his unsullied honour, and wise decisions upon every point he spoke to, rendered him essentially qualified to assist in restoring the lost dignity of Great Britain; and as almost every man in that house, as well as almost every man without doors, when he thought either his person, his property, or his fame in danger, ran eagerly to him, and solicited his assistance and protection, he

* Sir Charles pursued his metaphorical allusion to painting for a considerable time.

saw no reason why this country should not have the benefit of his great abilities, as well as individuals. (Of the third gentleman he spoke in the following words;)

There is another ornament of his country, a gentleman with whom I have the honour and happiness to live in the most familiar habits, of whose extraordinary talents you are daily witnesses, but whose real character, (disfigured by calumny, and those shameful and unfounded aspersions which flow daily from an unrestrained and licentious press,) is yet unknown to you. Permit me, impelled by the partiality of friendship, and still more by a zeal for truth, to shew to you, and through you to his country, this valuable man in his proper colours, that you may know to whom to look for assistance in this hour of peril and calamity. To dwell on the shrewdness of his understanding, on the liberality of his exalted mind, on his rapid and unerring judgment, on his convincing and overpowering oratory, were to mispend your time. Of his talents you are daily witnesses: you are unanimous admirers. But believe me, gentlemen, he merits not your admiration only; he is deserving of your respect—of your most affectionate regard: he resembles not those splendid pebbles which ingenious industry renders glittering at a distance, but whose lustre fades as you approach them; like the genuine diamond, he is more brilliant on a closer inspection; his amiable qualities are as captivating, and uncommon as his intellectual ones; those of his heart as superior to those of his head. Unlike the generality of mankind, his excellence is more apparent to those who see him in his unguarded moments; and, in defiance of the levelling maxim of Rochefoucault, he is a hero, even to his *valet de chambre*.

Having carried his eulogium on these three gentlemen very far, sir Charles recurred to his original position,—that our army was sufficiently numerous, if wisely directed, to defend our present possessions. That if it was deemed advisable to increase it, in the exhausted

state of the finances, in his opinion, the first object was our navy, on the power and superiority of which the existence of this country depended. Sailors were more wanted than soldiers; good counsellors more than even sailors; we needed not able-bodied recruits, but able-minded ministers, who, by properly employing and directing the forces of England, would render the burthensome increase of them unnecessary.

On that ground he objected strongly to the principle of the bill, which held out unheard-of rewards and immunities, to entice the labourer from the plough, and the manufacturer from the loom, to increase an army, the enormous expence of which we at present groaned under.

LORD NORTH.

The following Speech is a most masterly defence of himself. It is a model in its kind.

On the State of the Nation.

I AM much indebted to my learned friend, the attorney-general, near me, for the very favourable sentiments he has this day expressed of my public services; much more, I fear, than I have any pretensions to. On that subject he has, perhaps, spoke with the partiality of a friend; on others, he has, I presume, given his opinion without any such bias. But how much soever I may be obliged to the learned gentleman, I cannot help rising on the present occasion, earnestly wishing to vindicate my character against the general and specific accusation made by the honourable gentleman over the way, (Mr. Fox) and likewise to assure that honourable gentleman, that my present situation, sentiments, and intentions, will not permit me to accept those friendly dispositions which he has been so kind as to mix with the general charges. I allude to the admonitions he has given to

me for the regulation of my future political conduct.' His charges being general and unqualified, deserve some answer. He has stated them with his usual ability. He has pressed them with his wonted eloquence. However unequal I may be to the honourable gentleman in these two respects, I must not therefore, decline the vindication of my character, if I am conscious the justice of my cause will bear me out. Without that support, I am convinced of my own inability; with that support, I have nothing to fear from the honourable gentleman's eloquence and ingenuity. The hon. gentleman has travelled through the whole of my ministerial conduct, and candidly imputes all the neglects and blunders of administration, as he calls them, to me. By his account, I have enough of my own to answer for, without being compelled to bear the blame due to others; but I will tell that gentleman, that I do not mean to fly from that state of responsibly attached to my office, nor from the general responsibility which I am bound to with others, as one of his majesty's confidential servants. If the honourable gentleman, which his speech would indicate, supposes me to be first, or *sole minister*, I do assure him he is mistaken. I know of no such minister in this country, and do therefore hope the honourable gentleman will consider me in two lights; namely, as acting at the head of a very important department, where I acknowledge I am solely answerable for whatever is transacted, and as acting in concert with others in his majesty's confidential councils.

The honourable gentleman has gone a great way back, no less than to the whole of my conduct since I got connected with the board at which I have, at present, the honour to preside. I found the affairs of this country in great confusion, and the nation in a ferment (alluding to the affair of the Middlesex election.) I took a share in government when embarrassed by a strong factious opposition, who I thought, as I still do, acted upon mistaken or wrong motives. I assisted in maintaining government, and if the clamours current at that

time were not silenced, they were rendered ineffectual to answer the purposes for which they were raised. The great and glorious victories of the late war, and our confessed and decided superiority on the ocean, created us many enemies, and an alarm in other parts of Europe; and if not enmity, at least coolness.

France and Spain, suffering under the disgrace of successive defeats, were mortified and filled with resentment, and looking forward to retaliation. The eyes of the rest of Europe were drawn from the usual object of their jealousy, the house of Bourbon, thus fallen and humbled, towards our growing greatness. The system of Europe, at the time, admitted of no continental alliances, for to what end could they have been directed? The powers of the north were friendlily inclined, and nothing at that period, gave any reason to counteract any probable or possible measures which might be entered into by the house of Bourbon. Such was the state and disposition of Europe, when America unjustly, and without provocation, resisted the constitutional claims of this country, and refused to pay that obedience which it was bound to render up on every principle of justice; nay, I might go farther, and add, upon every motive of interest and advantage. Under the circumstances I have described, we were obliged to enter into a contest with rebellious subjects. I shall neither take blame to myself, nor impute any to others; but before we had it in our power to enforce legal government, France, contrary to every assurance, and every principle of justice and good faith, traitorously interfered in the interval in the government of the British Empire, and had the insolence, not only to prescribe the conduct we should observe towards our own subjects, but by declaring the colonies independent, endeavoured to sever a third part of the empire, and wrest it out of our hands.

The honourable gentleman says, Why not resign at this—why not resign at that—why not resign at another period? I will tell the honourable gentleman, why I

neither did, nor could resign. I was always determined never to resign as long as his majesty thought fit to accept of my poor services, and till I could do it with honour. Could I have resigned with honour when America first resisted? I answer, no. Could I have resigned with honour in the prosecution of the American war, while the event of that war was yet depending? No. Could I have resigned with honour when France interfered and acknowledged American independency? Most certainly not. And ought I to resign at this period, or could I do it with honour to myself, or discharge my duty to my country, now we have the united force of the house of Bourbon to contend with? I am persuaded I could not. My language has always been uniformly the same; never to resign till a fit person was found to succeed me. I have not heard that person yet pointed out, nor do I know him. I am well convinced, that many persons of abilities, infinitely superior to mine, could be found. I know no man more fit, in some respects, than the honourable gentleman himself; but his abilities, as far as they respect me, are out of the present question. He and his friends think differently from me on matters of very essential importance. I hope I have as great a reverence for the constitution as that gentleman; but his ideas are not perhaps exactly consonant to mine on that subject. I am for supporting the just and constitutional prerogatives of the crown, and the rights of parliament, according to the best of my own judgment; and upon those opinions I must continue to act, and can never, consequently, consent to call in any set of men, be they whom they may, as far as my feeble voice can reach, of whose political doctrines I do not approve. The good of my country and my own honour, therefore, will not permit me to follow the honourable gentleman's advice, and subscribe to his opinion, that this is the proper time for me to resign. The honourable gentleman, after reprobating the whole of my public conduct, is pleased to hold out several strong inducements

to me to retire from public business. He offers me a full indemnity for all my past crimes and transgressions, as a public man: for which I am greatly indebted to him, though, unfortunately, I cannot, or will not follow the advice thus given. He desires me to retire with the *plunder* I have amassed. (Mr. Fox.—Not *plunder* but *fortune.*) He says in order to save his country, in which resignation is included, that he would consent to let me, though a state criminal, escape with impunity; but he has coupled this very *generous* offer with a threat. He added, if I should not retire after this wholesome and friendly warning, that I must expect, in case of future disasters, to be brought to public judgment, and to exemplary and condign punishment.

The honourable gentleman's advice is *generous* and *friendly;* his threat is accompanied with openness, and is candid and manly. He has given me my option, and he will permit me to take it. But, in the first place, as I am conscious of no crime, I cannot, from any motive of common sense or common prudence, accept of the proffered indemnity: neither can I, from the same reason fear a public trial, or the consequences of guilt, the threatened punishment denounced, in order to terrify me into a resignation.

On the contrary, there is nothing at a proper time, I more ardently desire than a public trial; nor any thing I less fear than public punishment. I have been publicly accused in this house, in the face of the nation; justice requires that I should be indulged with an opportunity of exculpating myself. I shall insist upon the exercise of that justice: I hope I shall not be refused. I shall and must be tried, be the event of the present measures what they may. So that, however well intended the honourable gentleman's offer may have been, his favour of indemnity and impunity would amount to actual punishment, and his threats of future trial would be to me the greatest favour it is in his power to confer.

The honourable gentleman has, indeed, held me forth

in a new point of view this day. He presumes that France, Spain, and I, are the only foes this country has at present to combat. The people of America are our stedfast friends: and were I removed from my present situation, a perfect unanimity, he says would take place immediately, and every heart and hand in the kingdom would instantly unite in the common defence, and in inflicting that species of chastisement on the whole house of Bourbon, which it has so justly merited, for its perfidious and ambitious conduct.

I wish I was as well convinced of the truth of his opinion as the honourable gentleman. I do assure him, if I was, the former power and glory of this country would be soon restored, and upon terms which would appear to me extremely cheap; I mean, my immediate resignation, and the consequent welfare and prosperity of my country. Nay, I would make real sacrifices, in order to procure so desirable an event; I would instantly apply for banishment, and while I lamented, or rather felt, in some unguarded moment for my immediate situation, I would be a thousand times over *repaid* in the luxurious reflection, that by my proscription I had purchased the salvation of my country, and restored it once more to its former state and dignity.

However, to return to the mere matter of resignation, I beg leave to impress these facts on the honourable gentleman. It is well known that I accepted of my present situation with great reluctance; that I have remained in it much against my own good judgment and liking: that I feel in the same manner at the instant I am speaking; and when the period arrives, that I can resign with honour to myself, and consistent with the duty I owe to my sovereign and my country, I shall quit my present office with singular satisfaction.

The honourable gentleman has spoken of the fortune which he presumes I have amassed since my entering into office. I thought it was *plundered*: but I beg the honourable gentleman's pardon, for he has explained it

otherwise. Another honourable gentleman, over the way, said yesterday evening in debate, that the British cabinet had been *bought and sold*; so far as the charge applies to pecuniary matters, a very few words will, I trust, satisfy the house.

When I came into office my private fortune was not very considerable; and I can affirm, be it what it might then, whenever I quit my present situation, now or at any future period, I shall not be richer. That, I presume, if my assertion gains credit, is a full answer to the charge of my amassing a fortune, so far as the charge may be supposed to affect or be applicable to me, of the British cabinet having been bought or sold.

The honourable gentleman has laboured a great deal to shew how culpable ministers have been for not securing *alliances* on the continent; for my part, as applicable to our insular situation, and the general state of Europe, I was not able to perceive, that any eligible alliance presented itself in Europe, but one with Russia; and if matters had not suddenly presented an unexpected appearance, an alliance of that kind might probably have taken place. The situation of affairs was this: an armistice, or truce, had taken place between Russia and the Porte. While the final settlement of the respective claims of the two courts was depending, it was the *interest* of Russia to stand *well* with the court of London, on account of Great Britain having it in her power to give her succour and protection in the Mediterranean. In this state of affairs the French minister at Constantinople was fixed upon as the common mediator between the negociating powers. The consequence of this mediation between the Porte and the court of Petersburgh was, a final adjustment of all their differences. The court of Petersburgh having no farther point to carry in the Mediterranean, had no motives to enter into an alliance with the court of Great Britain, which might again, perhaps, from secret engagements between France and the Porte, involve her in another war with the last mentioned power.

I have one word more to add, and that is respecting the distribution of our force. The honourable gentleman has condemned it in the lump and in detail. I do not pretend to oppose my opinion to that of professional men, but as far as I am able to determine, it appears to me, uninstructed and uninformed as I am, that neglecting our distant dependencies would amount to a surrender of all our distant possessions. The clear consequence of which must be, that of our being shut up in this island, merely to resist conquest and foreign dominion. I presume no honourable gentleman present would wish to risk every thing upon so hazardous an event. It can therefore in my apprehension, require very little argument to prove, that we should not, in the early stages of a trying contest, adopt measures, which, if proper in any exigency, ought to be resorted to only in the very last extremity.

His lordship pursued this argument for some time. He said, that the land force, militia, and regulars, were equal to the defence of the island; and instead of despondency, that our force in America, should France and Spain endeavour to preserve a superiority in Europe, held out fair prospects of success: if not, that we should be able to spare sufficient detachments to secure an equality, if not a superiority, in that part of the world.

MR. FOX.

He observed, that he had seen very early, in the present reign, the plan of government which had been laid down, and since invariably pursued in every department. It was not the mere rumour of the streets, that the king was his own minister; the fatal truth was evident, and

had made itself visible in every circumstance of the war carried on against America and the west Indies. There was not the least intelligence in the West Indies perceptible between the king's officers, in the most kindred departments. Had not all such intelligence been destroyed by an invisible cabinet influence, could it ever have happened, it was asked, that there should be in one of our lately captured islands one hundred and fifty pieces of ordnance, and only forty men to work them? Could there have been in one place cannon without balls, and in another balls without cannon? In short, could mere ignorance in ministers produce of itself so many complicated blunders as were furnished by the last seven years, to render the present reign the most disgraceful period in the annals of this country? The doctrine that the king was his own minister, was now denied by the members of administration; but it was propagated by their followers. It was a doctrine highly dangerous to the constitution, as it tended to take responsibility from the shoulders of the ministers, and place it on a personage, who, it was supposed, could do no wrong, and who could not be called to account. However, he observed, that though, in general, the evils of a reign are attributed to the wicked counsels of an abandoned ministry; yet, when these evils reach a certain height, ministers are forgotten, and the prince alone is punished. Thus it was with the royal house of Stuart: Charles and his son James had both wicked ministers, to whom, no doubt, the errors of their reigns ought to be chiefly ascribed; and yet they themselves were punished, the one by the loss of life, the other of his crown. This should be a lesson to sovereigns, and teach them to check their ministers, and not suffer themselves to be blindly led by them; as they themselves may, in the end, instead of their ministers, bear the whole weight of the people's indignation. There was not, he believed, in the whole history of this country, a period that resembled the present, except the reign of the unfortunate Henry VI. His family, like that of his present majesty, did not

claim the crown as their hereditary right; it was by revolutions they both obtained it. Henry was an amiable and pious prince; so was his present majesty. Henry was the son of the most renowned monarch that ever sat upon the British throne; George was the grandson of a hero. Henry lost all his father's conquests, and all his hereditary provinces in France: George has already seen the conquests of his grandfather wrested from him in the West Indies, and his hereditary provinces of America erected into an empire that disclaimed all connexion. His majesty had set out in life with the brightest prospects that a young prince could have desired. He was possessed of immense dominions, and the warmest affections of his people. But how unhappily was the scene now reversed! His empire was dismembered, his councils distracted, and his people's attachment to his person much lessened. He said, he only spoke within doors the language that was held without; the people were beginning to murmur, and their patience was not unlimited. They would at last do themselves justice; there certainly would be insurrections; and though it was impossible that the calamities that would attend them could be justified, or compensated by any good that could be obtained by them, yet they would certainly take place.

Admiral Keppel asserted, that no such protection had been given to our trade as was affirmed by the ministry; and that if the enemy had not succeeded in their designs, their failure could not be attributed to the operations of our fleet. He said, that two old ships hardly fit for service, were the paltry reinforcement, to obtain which a British fleet was ordered to run from the enemy, offering them battle on their own coasts. He maintained, that the national flag had been disgraced, the courage of our seamen damped, and the professional honour of our officers degraded; and declared that he should vote for the removal of those weak or wicked counsellors, who had led us, imperceptibly, and by degrees, to the present state of calamity, humiliation, and national distress.

[Some observations which fell from Mr. Fox, relative to Mr. Adam, a Scotch gentleman, and member for Gatton, in the debate on the address to his majesty, occasioned a duel between those two gentlemen. Mr. Adam, who had formerly voted with the opposition, in that debate assigned sundry reasons for changing sides, and voting with the ministry; which were ridiculed by Mr. Fox, in a strain of very poignant satire. Mr. Adam seemed much hurt by this attack, and still more with an account of it which was published in the news-papers; and therefore called upon Mr. Fox to contradict the account given in the public prints: but Mr. Fox refusing to do this, a duel ensued between him and Mr. Adam, in which the former was wounded, but not dangerously.]

EDMUND BURKE.

The following speech is perhaps the fairest specimen I could give of Mr. Burke's various talents as a speaker; his wisdom, his imagination, his wit, and playfulness of fancy. The subject itself is not the most interesting, nor does it admit of that weight and closeness of reasoning which he displayed on other occasions. But there is no single speech which can convey a satisfactory idea of his powers of mind: to do him justice, it would be necessary to quote all his works; the only specimen of Burke is, *all that he wrote*. With respect to most other speakers, a specimen is generally enough, or more than enough. When you are acquainted with their manner, and see what proficiency they have made in the mechanical exercise, of their profession, with what facility they can borrow a simile, or round a period, how dexterously they can argue, and object, and rejoin, you are satisfied; there is no other difference in their speeches than what arises from the difference of the subjects. But this was not the case with Burke. He brought his subjects along with him; he drew his materials from himself. The only limits which circumscribed his variety were the stores of his own mind. His stock of ideas did not consist of a few meagre facts, meagrely stated, of half a dozen common-places tortured in a thousand different ways: but his mine of wealth was a profound understanding, inexhaustible as the human heart, and various as the sources of nature. He therefore enriched every subject to which he applied himself, and new subjects were only the occasions of calling forth fresh powers of mind which had not been before exerted. It would therefore be in vain to look for the proof of his powers in any one of his speeches or writings: they all contain some additional proof of power. In speaking of Burke, then, I shall speak of the whole compass and circuit of his mind—not of that small part or section of him which I have been able to give: to do otherwise would be like the story of the man who put the brick in his pocket, thinking to shew it as the model of a house. I have been able to manage pretty well with respect to all my other speakers, and curtailed them down without remorse. It was easy to reduce them within certain limits, to fix their spirit, and condense their variety; by having a certain quantity given, you might infer all the rest; it was only the same thing over again. But who can bind Proteus, or confine the roving flight of genius?

Burke's writings are better than his speeches, and indeed his speeches are writings. But he seemed to feel himself more at ease, to have a fuller possession of his faculties in addressing the public, than in addressing the house of commons. Burke was *raised* into public life: and he seems to have been prouder of this new dignity than became so great a man. For this reason, most of his speeches have a sort of parliamentary preamble to them: there is an air of affected modesty, and ostentatious trifling in them: he seems fond of coqueting with the house of commons, and is perpetually calling the speaker out to dance a minute with him, before he begins. There is also something like an attempt to stimulate the superficial dulness of his hearers by exciting their surprise, by running into extravagance: and he sometimes demeans himself by condescending to what may be considered as bordering too much upon buffoonery, for the amusement of the company. Those lines of Milton were admirably applied to him by some one—"The elephant to make them sport wreathed his proboscis lithe." The truth is, that he was out of his place in the house of commons; he was eminently qualified to shine as a man of genius, as the instructor of mankind, as the brightest luminary of his age: but he had nothing in common with that motley crew of knights, citizens, and burgesses. He could not be said to be "native and endued unto that element." He was above it; and never appeared like himself, but when, forgetful of the idle clamours of party, and of the little views of little men, he appealed to his country, and the enlightened judgment of mankind.

I am not going to make an idle panegyric on Burke (he has no need of it;) but I cannot help looking upon him as the chief boast and ornament of the English house of commons. What has been said of him is, I think, strictly true, that "he was the most eloquent man of his time: his wisdom was greater than his eloquence." The only public man that in my opinion can be put in any competition with him, is lord Chatham: and he moved in a sphere so very remote, that it is almost impossible to compare them. But though it would perhaps be difficult to determine which of them excelled most in his particular way, there is nothing in the world more easy than to point out in what their peculiar excellences consisted. They were in every respect the reverse of each other. Chatham's eloquence was popular: his wisdom was altogether plain and practical. Burke's eloquence was that of the poet; of the man of high and unbounded fancy: his wisdom was profound and contemplative. Chatham's eloquence was calculated to make men *act*; Burke's was calculated to make them *think*. Chatham could have roused the fury of a multitude, and wielded their physical energy as he pleased: Burke's eloquence carried conviction into the mind of the retired and lonely student, opened the recesses of the human breast, and lighted up the face of nature around him. Chatham supplied his hearers with motives to immediate action: Burke furnished them with *reasons* for action which might have little effect upon them at the time, but for which they would be the wiser and better all their lives after.

In research, in originality, in variety of knowledge, in richness of invention, in depth and comprehension of mind, Burke had as much the advantage of lord Chatham as he was excelled by him in plain common sense, in strong feeling, in steadiness of purpose, in vehemence, in warmth, in enthusiasm, and energy of mind. Burke was the man of genius, of fine sense, and subtle reasoning; Chatham was a man of clear understanding, of strong sense, and violent passions. Burke's mind was satisfied with speculation; Chatham's was essentially *active:* it could not rest without an object. The power which governed Burke's mind was his Imagination; that which gave its *impetus* to Chatham's was Will. The one was almost the creature of pure intellect, the other of physical temperament.

There are two very different ends which a man of genius may propose to himself either in writing or speaking, and which will accordingly give birth to very different styles. He can have but one of these two objects; either to enrich, or strengthen the mind; either to furnish us with new ideas, to lead the mind into new trains of thought, to which it was before unused, and which it was incapable of striking out for itself; or else to collect and embody what we already knew, to rivet our old impressions more deeply; to make what was before plain still plainer, and to give to that which was familiar all the effect of novelty. In the one case we receive an accession to the stock of our ideas; in the other, an additional degree of life and energy is infused into them: our thoughts continue to flow in the same channels, but their pulse is quickened and invigorated. I do not know how to distinguish these different styles better than by calling them severally the inventive and refined, or the impressive and vigorous styles. It is only the subject matter of eloquence, however, which is allowed to be remote or obscure. The things in themselves may be subtle and recondite, but they must be dragged out of their obscurity and brought struggling to the light; they must be rendered plain and palpable, (as far as it is in the wit of man to do so) or they are no longer eloquence. That which by its natural impenetrability, and in spite of every effort, remains dark and difficult, which is impervious to every ray, on which the imagination can shed no lustre, which can be clothed with no beauty, is not a subject for the orator or poet. At the same time it cannot be expected that abstract truths or profound observations should ever be placed in the same strong and dazzling points of view as natural objects and mere matters of fact. It is enough if they receive a reflex and borrowed lustre, like that which cheers the first dawn of morning, where the effect of surprise and novelty gilds every object and the joy of beholding another world gradually emerging out of the gloom of night, "a new creation rescued from his reign," fills the mind with a sober rapture. Philosophical eloquence is in writing what *chiaro scuro* is in painting; he would be a fool who should object that the colours in the shaded part of a picture were not so bright as those on the opposite side; the eye of the connoisseur receives an equal delight from both, balancing the want

of brilliancy and effect with the greater delicacy of the tints, and difficulty of the execution. In judging of Burke, therefore, we are to consider first the style of eloquence which he adopted, and secondly the effects which he produced with it. If he did not produce the same effects on vulgar minds, as some others have done, it was not for want of power, but from the turn and direction of the mind*. It was because his subjects, his ideas, his arguments, were less vulgar. The question is not whether he brought certain truths equally *home* to us, but how much nearer he brought them than they were before. In my opinion, he united the two extremes of refinement and strength in a higher degree than any other writer whatever.

The subtlety of his mind, was undoubtedly that which rendered Burke a less popular writer and speaker than he otherwise would have been. It weakened the impression of his observations upon others, but I cannot admit that it weakened the observations themselves; that it took any thing from their real weight and solidity. Coarse minds think all that is subtle, futile: that because it is not gross and obvious and palpable to the senses, it is therefore light and frivolous, and of no importance in the real affairs of life; thus making their own confined understandings the measure of truth, and supposing that whatever they do not distinctly perceive is nothing. Seneca, who was not one of the vulgar, also says, that subtle truths are those which have the least substance in them, and consequently approach nearest to non-entity. But for my own part I cannot help thinking that the most important truths must be the most refined and subtle; for that very reason, that they must comprehend a great number of particulars, and instead of referring to any distinct or positive fact, must point out the combined effects of an extensive chain of causes, operating gradually, remotely, and collectively, and therefore imperceptibly. General principles are not the less true or important because from their nature they elude immediate observation; they are like the air, which is not the less necessary because we neither see nor feel it, or like that secret influence which binds the world together, and holds the planets in their orbits. The very same persons, who are the most forward to laugh at all systematic reasoning as idle and impertinent, you will the next moment hear exclaiming bitterly against the baleful effects of new-fangled systems of philosophy, or gravely descanting on the immense importance of instilling sound principles of morality into the mind. It would not be a bold conjecture, but an obvious truism to say, that all the great changes which have been brought about in the moral world, either for the better or worse, have been introduced not by the bare statement of facts, which are things already known, and which must always operate nearly in the same manner, but by the developement of certain opinions and abstract principles of

* For instance: he produced less effect on the mob that compose the English House of Commons than Chatham or Fox, or even Pitt; and he produced less effect on the mob that compose the English Public than Paine or Joel Barlow, at least at the time.

reasoning on life and manners, on the origin of society and man's nature in general, which being obscure and uncertain, vary from time to time, and produce correspondent changes in the human mind. They are the wholesome dew and rain, or the mildew and pestilence that silently destroy. To this principle of generalization all religious creeds, the institutions of wise lawgivers, and the systems of philosophers, owe their influence.

It has always been with me a test of the sense and candour of any one belonging to the opposite party, whether he allowed Burke to be a great man. Of all the persons of this description that I have ever known, I never met with above one or two who would make this concession; whether it was that party feelings ran too high to admit of any real candour, or whether it was owing to an essential vulgarity in their habits of thinking, they all seemed to be of opinion that he was a wild enthusiast, or a hollow sophist, who was to be answered by bits of facts, by smart logic, by shrewd questions, and idle songs. They looked upon him as a man of disordered intellects, because he reasoned in a style to which they had not been used, and which confounded their dim preceptions. If you said that though you differed with him in sentiment, yet you thought him an admirable reasoner, and a close observer of human nature, you were answered with a loud laugh, and some hackneyed quotation. "Alas! Leviathan was not so tamed!" They did not know whom they had to contend with. The corner stone, which the builders rejected, became the head-corner, though to the Jews a stumbling block, and to the Greeks foolishness; for indeed I cannot discover that he was much better understood by those of his own party, if we may judge from the little affinity there is between his mode of reasoning, and theirs. The simple clue to all his reasonings on this subject is, I think, as follows. He did not agree with some writers, that that mode of government is necessarily the best which is the cheapest. He saw in the construction of society other principles at work, and other capacities of fulfilling the desires, and perfecting the nature of man, besides those of securing the equal enjoyment of the means of animal life, and doing this at as little expence as possible. He thought that the wants and happiness of man were not to be provided for, as we provide for those of a herd of cattle, merely by attending to their physical necessities. He thought more nobly of his fellows. He knew that man had affections and passions and powers of imagination, as well as hunger and thirst and the sense of and heat and cold. He took his idea of political society from the pattern of private life, wishing as he himself expresses it, to incorporate the domestic charities with the orders of the state, and to blend them together. He strove to establish an analogy between the compact that binds together the community at large, and that which binds together the several families that compose it. He knew that the rules that form the basis of private morality are not founded in reason, that is, in the abstract properties of those things which are the subjects of them, but in the nature of man, and his capacity of being affected by certain things from habit, from imagination, and sentiment, as well as from reason.

Thus, the reason why a man ought to be attached to his wife and children is not, surely, that they are better than others, (for in this case every one else ought to be of the same opinion) but because he must be chiefly interested in those things which are nearest to him, and with which he is best acquainted, since his understanding cannot reach equally to every thing; because he must be most attached to those objects which he has known the longest, and which by their situation have actually affected him the most, not those which in themselves are the most affecting, whether they have ever made any impression on him or no; that is, because he is by his nature the creature of habit and feeling, and because it is reasonable that he should act in conformity to his nature. He was therefore right in saying that it is no objection to an institution, that is founded in *prejudice*, but the contrary, if that prejudice is natural and right; that is, if it arises from those circumstances which are properly subjects of feeling and association, not from any defect or perversion of the understanding in those things which fall properly under its jurisdiction. On this profound maxim he took his stand. Thus he contended, that the prejudice in favour of nobility was natural and proper, and fit to be encouraged by the positive institutions of society; not on account of the real or personal merit of the individuals, but because such an institution has a tendency to enlarge and raise the mind, to keep alive the memory of past greatness, to connect the different ages of the world together, to carry back the imagination over a long tract of time, and feed it with the contemplation of remote events: because it is natural to think highly of that which inspires us with high thoughts, which has been connected for many generations with splendour, and affluence, and dignity, and power, and permanence. He also conceived, that by transferring the respect from the person to the thing, and thus rendering it steady and permanent, the mind would be habitually formed to sentiments of deference, attachment, and fealty, to whatever else demanded its respect: that it would be led to fix its view on what was elevated and lofty, and be weaned from that low and narrow jealousy which never willingly or heartily admits of any superiority in others, and is glad of every opportunity to bring down all excellence to a level with its own miserable standard. Nobility did not therefore exist to the prejudice of the other orders of the state, but by, and for them. The inequality of the different orders of society did not destroy the unity and harmony of the whole. The health and well-being of the moral world was to be promoted by the same means as the beauty of the natural world; by contrast, by change, by light and shade, by variety of parts, by order and proportion. To think of reducing all mankind to the same insipid level, seemed to him the same absurdity as to destroy the inequalities of surface in a country, for the benefit of agriculture and commerce. In short, he believed that the interests of men in society should be consulted, and their several stations and employments assigned, with a view to their nature, not as physical but as moral be-

ings, so as to nourish their hopes, to lift their imagination, to enliven their fancy, to rouse their activity, to strengthen their virtue, and to furnish the greatest number of objects of pursuit and means of enjoyment to beings constituted as man is, consistently with the order and stability of the whole.

The same reasoning might be extended farther. I do not say that his arguments are conclusive: but they are profound and *true*, as far as they go. There may be disadvantages and abuses necessarily interwoven with his scheme, or opposite advantages of infinitely greater value, to be derived from another order of things and state of society. This however does not invalidate either the truth or importance of Burke's reasoning; since the advantages he points out as connected with the mixed form of government are really and necessarily inherent in it: since they are compatible in the same degree with no other; since the principle itself on which he rests his argument (whatever we may think of the application) is of the utmost weight and moment; and since on which ever side the truth lies, it is impossible to make a fair decision without having the opposite side of the question clearly and fully stated to us. This Burke has done in a masterly manner. He presents to you one view or face of society. Let him, who thinks he can, give the reverse side with equal force, beauty, and clearness. It is said, I know, that truth is *one*; but to this I cannot subscribe, for it appears to me that truth is *many*. There are as many truths as there are things and causes of action and contradictory principles at work in society. In making up the account of good and evil, indeed the final result must be one way or the other; but the particulars on which that result depends are infinite and various.

It will be seen from what I have said, that I am very far from agreeing with those who think that Burke was a man without understanding, and a merely florid writer. There are two causes which have given rise to this calumny; namely, that narrowness of mind which leads men to suppose that the truth lies entirely on the side of their own opinions, and that whatever does not make for them is absurd and irrational; secondly, a trick we have of confounding reason with judgment, and supposing that it is merely the province of the understanding to pronounce sentence, and not to give in evidence, or argue the case; in short, that is a passive, not an active faculty. Thus there are persons who never run into any extravagance, because they are so buttressed up with the opinions of others on all sides, that they cannot lean much to one side or the other; they are so little moved with any kind of reasoning, that they remain at an equal distance from every extreme, and are never very far from the truth, because the slowness of their faculties will not suffer them to make much progress in error. These are persons of great judgment. The scales of the mind are pretty sure to remain even, when there is nothing in them. In this sense of the word, Burke must be allowed to have wanted judgment, by all those who think that

he was wrong in his conclusion. This accusation of want of judgment, in fact, only means that you yourself are of a different opinion. But if in arriving at one error he discovered a hundred truths, I should consider myself a hundred times more indebted to him than if, stumbling on that which I consider as the right side of the question, he had committed a hundred absurdities in striving to establish his point. I speak of him now merely as an author, or as far as I and other readers are concerned with him; at the same time, I should not differ from any one who may be disposed to contend that the consequences of his writings as instruments of political power have been tremendous, fatal, such as no exertion of wit, or knowledge, or genius, can ever counteract or atone for.

Burke also gave a hold to his antagonist by mixing up sentiment and imagery with his reasoning; so that being unused to such a sight in the ragion of politics, they where deceived, and could not discern the fruit from the flowers. Gravity is the cloak of wisdom; and those who have nothing else think it an insult to affect the one without the other, because it destroys the only foundation on which their pretensions are built. The easiest part of reason is dulness; the generality of the world are therefore concerned in discouraging any example of unnecessary brilliancy that might tend to shew that the two things do not always go together. Burke in some measure dissolved the spell. It was discovered, that his gold was not the less valuable for being wrought into elegant shapes and richly embossed with curious figures; that the solidity of a building is not destroyed by adding to it beauty and ornament; and that the strength of a man's understanding is not always to be estimated in exact proportion to his want of imagination. His understanding was not the less real, because it was not the only faculty he possessed. He justified the description of the poet,

> "How charming is divine philosophy!
> "Not harsh and crabbed as dull fools suppose,
> "But musical as is Apollo's lute!"

Those who object to this union of grace and beauty with reason, are in fact weak-sighted people, who cannot distinguish the noble and majestic form of Truth from that of her sister Folly, if they are dressed both alike! But there is always a difference even in the adventitious ornaments they wear, which is sufficient to distinguish them.

Burke was so far from being a gaudy or flowery writer, that he was one of the *severest* writers we have. His words are the most like things; his style is the most strictly suited to the subject. He unites every extreme and every variety of composition; the lowest and the meanest words and descriptions with the highest. He exults in the display of power, in shewing the extent, the force, and intensity of his ideas, he is led on by the mere impulse and vehemence of his fancy, not by the affectation of dazzling his readers by gaudy conceits or pompous images. He was completely carried away by

his subject. He had no other object but to produce the strongest impression on his reader, by giving the truest, the most characteristic, the fullest, and most forcible description of things, trusting to the power of his own mind to mould them into grace and beauty. He did not produce a splendid effect by setting fire to the light vapours that float in the regions of fancy, as the chemists make fine colours with phosphorus, but by the eagerness of his blows struck fire from the flint, and melted the hardest substances in the furnace of his imagination. The wheels of his imagination did not catch fire from the rottenness of the materials, but from the rapidity of their motion. One would suppose, to hear people talk of Burke, that his style was such as would have suited the Lady's Magazine; soft, smooth, showy, tender, insipid, full of fine words, without any meaning. The essence of the gaudy or glittering style consists in producing a momentary effect by fine words and images brought together, without order or connection. Burke most frequently produced an effect by the remoteness and novelty of his combinations, by the force of contrast, by the striking manner in which the most opposite and unpromising materials were harmoniously blended together; not by laying his hands on all the fine things he could think of, but by bringing together those things which he knew would blaze out into glorious light by their collision. The florid style is a mixture of affectation and common-place. Burke's was an union of untameable vigour and originality.

Burke was not a verbose writer. If he sometimes multiplies words, it is not for want of ideas, but because there are no words that fully express his ideas, and he tries to do it as well as he can by different ones. He had nothing of the *set* or formal style, the measured cadence, and stately phraseology of Johnson, and most of our modern writers. This style, which is what we understand by the *artificial*, is all in one key. It selects a certain set of words to represent all ideas whatever, as the most dignified and elegant, and excludes all others as low and vulgar. The words are not fitted to the things, but the things to the words. Every thing is seen through a false medium. It is putting a mask on the face of nature, which may indeed hide some specks and blemishes, but takes away all beauty, delicacy, and variety. It destroys all dignity or elevation, because nothing can be raised where all is on a level, and completely destroys all force, expression, truth, and character, by arbitrarily confounding the differences of things, and reducing every thing to the same insipid standard. To suppose that this stiff uniformity can add any thing to real grace or dignity, is like supposing that the human body in order to be perfectly graceful, should never deviate from its upright posture. Another mischief of this method is, that it confounds all ranks in literature. Where there is no room for variety, no discrimination, no nicety to be shewn in matching the idea with its proper word, there can be no room for taste or elegance. A man must easily learn the art of writing, when every sentence is to be cast in the same mould: where he is only allowed the use of one word, he

cannot choose wrong, nor will he be in much danger of making himself ridiculous by affectation or false glitter, when, whatever subject he treats of, he must treat of it in the same way. This indeed is to wear golden chains for the sake of ornament.

Burke was altogether free from the pedantry which I have here endeavoured to expose. His style was as original, as expressive, as rich and varied, as it was possible; his combinations were as exquisite, as playful, as happy, as unexpected, as bold and daring, as his fancy. If any thing, he ran into the opposite extreme of too great an inequality, if truth and nature could ever be carried to an extreme.

Those who are best acquainted with the writings and speeches of Burke will not think the praise I have here bestowed on them exaggerated. Some proof will be found of this in the following extracts. But the full proof must be sought in his works at large, and particularly in the Thoughts on the Discontents; in his Reflections on the French Revolution; in his Letter to the Duke of Bedford; and in the Regicide Peace. The two last of these are perhaps the most remarkable of all his writings, from the contrast they afford to each other. The one is the most delightful exhibition of wild and brilliant fancy, that is to be found in English prose, but it is too much like a beautiful picture painted upon gause; it wants something to support it: the other is without ornament, but it has all the solidity, the weight, the gravity of a judicial record. It seems to have been written with a certain constraint upon himself, and to shew those who said he could not *reason*, that his arguments might be stripped of their ornaments without loosing any thing of their force. It is certainly, of all his works, that in which he has shewn most power of logical deduction, and the only one in which he has made any important use of facts. In general he certainly paid little attention to them: they were the playthings of his mind. He saw them as he pleased, not as they were; with the eye of the philosopher or the poet, regarding them only in their general principle, or as they might serve to decorate his subject. This is the natural consequence of much imagination: things that are probable are elevated into the rank of realities. To those who can reason on the essences of things, or who can invent according to nature, the experimental proof is of little value. This was the case with Burke. In the present instance, however, he seems to have *forced* his mind into the service of facts: and he succeeded completely. His comparison between our connection with France or Algiers, and his account of the conduct of the war, are as clear, as convincing, as forcible examples of this kind of reasoning, as are any where to be met with. Indeed I do not think there is any thing in Fox, (whose mind was purely historical) or in Chatham, (who attended to feelings more than facts) that will bear a comparison with them.

Burke has been compared to Cicero—I do not know for what reason. Their excellences are as different, and indeed as opposite as they well can be. Burke had not the polished elegance, the glossy neatness, the artful regularity, the exquisite modulation of Cicero:

he had a thousand times more richness and originality of mind, more strength and pomp of diction.

It has been well observed, that the ancients had no word that properly expresses what we mean by the word Genius. They perhaps had not the thing. Their minds appear to have been too exact, too retentive, too minute and subtle, too sensible to the external differences of things, too passive under their impressions, to admit of those bold and rapid combinations, those lofty flights of fancy, which, glancing from heaven to earth unite the most opposite extremes, and draw the happiest illustrations from things the most remote. Their ideas were kept too confined and distinct by the material form or vehicle in which they were conveyed to unite cordially together, or be melted down in the imagination. Their metaphors are taken from things of the same class, not from things of different classes; the general analogy, not the individual feeling, directs them in their choice. Hence, as Dr. Johnson observed, their figures are either repetitions of the same idea, or so obvious and general as not to lend any additional force to it; as when a huntress is compared to Diana, or a warrior rushing into battle to a lion rushing on his prey. Their *forte* was exquisite art and perfect imitation. Witness their statues and other things of the same kind. But they had not that high and enthusiastic fancy which some of our own writers have shewn. For the proof of this, let any one compare Milton and Shakespeare with Homer and Sophocles, or Burke with Cicero.

It may be asked whether Burke was a poet. He was so only in the general vividness of his fancy, and in richness of invention. There may be poetical passages in his works, but I certainly think that his writings in general are quite distinct from poetry; and that for the reason before given, namely, that the subject matter of them is not poetical. The finest parts of them are illustrations or personifications of dry abstract ideas; and the union between the idea and the illustration is not of that perfect and pleasing kind as to constitute poetry, or indeed to be admissible, but for the effect intended to be produced by it; that is, by every means in our power to give an animation and attraction to subjects in themselves barren of ornament, but which at the same time are pregnant with the most important consequences, and in which the understanding and the passions are equally interested.

I have heard it remarked by a person, to whose opinion I would sooner submit than to a general council of critics, that the sound of Burke's prose is not musical; that it wants cadence; and that instead of being so lavish of his imagery as is generally supposed, he seemed to him to be rather parsimonious in the use of it, always expanding and making the most of his ideas. This may be true if we compare him with some of our poets, or perhaps with some of our early prose writers, but not if we compare him with any of our political writers, or parliamentary speakers. There are some very fine things of lord Bolingbroke's on the same subjects, but not equal to Burke's. As for Junius, he is at the head of his class; but that class is not the

highest. He has been said to have more dignity than Burke. Yes, if the stalk of a giant is less dignified than the strut of a petit-maitre. I do not mean to speak disrespectfully of Junius, but grandeur is not the character of his composition; and if it is not to be found in Burke, it is to be found no where.

His Speech on presenting a Plan for the better security of the Independence of Parliament, and the economical Reformation of the Civil and other Establishments.

Mr. Speaker,

I RISE, in acquittal of my engagement to the house, in obedience to the strong and just requisition of my constituents, and, I am persuaded, in conformity to the unanimous wishes of the whole nation, to submit to the wisdom of parliament. "A plan of reform in the constitution of several parts of the public economy."

I have endeavoured, that this plan should include in its execution, a considerable reduction of improper expence; that it should effect a conversion of unprofitable titles into a productive estate; that it should lead to, and indeed almost compel, a provident administration of such sums of public money as must remain under discretionary trust; that it should render the incurring debts on the civil establishment (which must ultimately effect national strength and national credit) so very difficult, as to become next to impracticable.

But what, I confess, was uppermost with me, what I bent the whole force of my mind to, was the reduction of that corrupt influence, which is itself the perennial spring of all prodigality, and of all disorder; which loads us, more than millions of debt; which takes away vigour from our arms, wisdom from our councils, and every shadow of authority and credit from the most venerable parts of our constitution.

Sir, I assure you, very solemnly, and with a very clear conscience, that nothing in the world has led me to such an undertaking, but my zeal for the honour of this

house, and the settled, habitual, systematic affection I bear to the cause, and to the principles of government.

I enter perfectly into the nature and consequences of my attempt; and I advance to it with a tremor that shakes me to the inmost fibre of my frame. I feel, that I engage in a business, in itself most ungracious, totally wide of the course of prudent conduct; and I really think, the most completely adverse that can be imagined, to the natural turn and temper of my own mind. I know, that all parsimony is of a quality approaching to unkindness; and that (on some person or other) every reform must operate as a sort of punishment. Indeed the whole class of the severe and restrictive virtues, are at a market almost too high for humanity. What is worse, there are very few of those virtues which are not capable of being imitated, and even out-done in many of their most striking effects, by the worst of vices. Malignity and envy will carve much more deeply, and finish much more sharply, in the work of retrenchment, than frugality and providence. I do not, therefore, wonder that gentlemen have kept away from such a task, as well from good nature as from prudence. Private feeling might, indeed, be overborne by legislative reason: and a man of a long-sighted and strong-nerved humanity, might bring himself, not so much to consider from whom he takes a superfluous enjoyment, as for whom in the end he may preserve the absolute necessaries of life.

But it is much more easy to reconcile this measure to humanity, than to bring it to any agreement with prudence. I do not mean that little, selfish, pitiful bastard thing, which sometimes goes by the name of a family in which it is not legitimate, and to which it is a disgrace; I mean even that public and enlarged prudence, which, apprehensive of being disabled from rendering acceptable services to the world, withholds itself from those that are invidious. Gentlemen who, are with me, verging towards the decline of life, and are apt to form their ideas of kings from kings of former times, might dread

the anger of a reigning prince;—they who are more provident of the future, or by being young are more interested in it, might tremble at the resentment of the successor; they might see a long, dull, dreary, unvaried vista of despair and exclusion, for half a century, before them. This is no pleasant prospect at the outset of a political journey.

Besides this, sir, the private enemies to be made in all attempts of this kind, are innumerable; and their enmity will be the more bitter, and the more dangerous too, because a sense of dignity will oblige them to conceal the cause of their resentment. Very few men of great families and extensive connections but will feel the smart of a cutting reform, in some close relation, some bosom friend, some pleasant acquaintance, some dear protected dependant. Emolument is taken from some; patronage from others; objects of pursuit from all. Men, forced into an involuntary independence, will abhor the authors of a blessing which in their eyes has so very near a resemblance to a curse. When officers are removed, and the offices remain, you may set the gratitude of some against the anger of others; you may oppose the friends you oblige against the enemies you provoke. But services of the present sort create no attachments. The individual good felt in a public benefit, is comparatively so small, comes round through such an involved labyrinth of intricate and tedious revolutions; whilst a present personal detriment is so heavy where it falls, and so instant in its operation, that the cold commendation of a public advantage never was, and never will be, a match for the quick sensibility of a private loss: and you may depend upon it, sir, that when many people have an interest in railing, sooner or later, they will bring a considerable degree of unpopularity upon any measure. So that, for the present at least, the reformation will operate against the reformers; and revenge (as against them at the least) will produce all the effects of corruption.

This, sir, is almost always the case, where the plan has

complete success. But how stands the matter in the mere attempt? Nothing, you know, is more common, than for men to wish, and call loudly too, for a reformation, who, when it arrives, do by no means like the severity of its aspect. Reformation is one of those pieces which must be put at some distance in order to please. Its greatest favourers love it better in the abstract than in the substance. When any old prejudice of their own, or any interest that they value, is touched, they become scrupulous, they become captious, and every man has his separate exception. Some pluck out the black hairs, some the grey; one point must be given up to one; another point must be yielded to another; nothing is suffered to prevail upon its own principle: the whole is so frittered down and disjointed, that scarcely a trace of the original scheme remains! Thus, between the resistance of power, and the unsystematical process of popularity, the undertaker and the undertaking are both exposed, and the poor reformer is hissed off the stage, both by friends and foes.*

Observe, sir, that the apology for my undertaking (an apology which, though long, is no longer than necessary) is not grounded on my want of the fullest sense of the difficult and invidious nature of the task I undertake. I risque odium if I succeed, and contempt if I fail. My excuse must rest in mine and your conviction of the absolute, urgent *necessity* there is, that something of the kind should be done. If there is any sacrifice to be made, either of estimation or of fortune, the smallest is the best. Commanders in chief are not to be put upon the forlorn hope. But indeed it is necessary that the attempt should be made. It is necessary from our own political circumstances; it is necessary from the operations of the enemy; it is necessary from the

* While Burke was making these fine observations, the gentlemen of the house of commons, I can conceive, were coughing or scraping their feet against the floor, impatient for the question, that is, for the list of places, which were to be lopped off, or which they were still allowed to retain.

demands of the people; whose desires, when they do not militate with the stable and eternal rules of justice and reason, (rules which are above us, and above them,) ought to be as a law to a house of commons.

As to our circumstances, I do not mean to aggravate the difficulties of them by the strength of any colouring whatsoever. On the contrary, I observe, and observe with pleasure, that our affairs wear rather a more promising aspect than they did on the opening of the session. We have had some leading successes. But those who rate them at the highest (higher a great deal indeed than I dare to do) are of opinion, that, upon the ground of such advantages, we cannot at this time hope to make any treaty of peace, which would not be ruinous and completely disgraceful. In such an anxious state of things, if dawnings of success serve to animate our diligence, they are good; if they tend to increase our presumption, they are worse than defeats. The state of our affairs shall then be as promising as any one may choose to conceive it: it is however but promising. We must recollect, that with but half of our natural strength, we are at war against confederated powers who have singly threatened us with ruin: we must recollect, that whilst we are left naked on one side, our other flank is uncovered by any alliance; that whilst we are weighing and balancing our successes against our losses, we are accumulating debt to the amount of at least fourteen millions in the year. That loss is certain.

I have no wish to deny, that our successes are as brilliant as any one chooses to make them; our resources too may, for me, be as unfathomable as they are represented. Indeed they are just whatever the people possess, and will submit to pay. Taxing is an easy business. Any projector can contrive new impositions; any bungler can add to the old. But is it altogether wise to have no other bounds to your impositions, than the patience of those who are to bear them?

All I claim upon the subject of your resources is this;

that they are not likely to be increased by wasting them. I think I shall be permitted to assume, that a system of frugality will not lessen your riches, whatever they may be; I believe it will not be hotly disputed, that those resources which lie heavy on the subject, ought not to be objects of preference; that they ought not to be the *very first choice*, to an honest representative of the people.

This is all, sir, that I shall say upon our circumstances and our resources: I mean to say a little more on the operations of the enemy, because this matter seems to me very natural in our present deliberation. When I look to the other side of the water, I cannot help recollecting what Pyrrhus said on reconnoitering the Roman camp, "These barbarians have nothing barbarous in their discipline." When I look, as I have pretty carefully looked, into the proceedings of the French king, I am sorry to say it, I see nothing of the character and genius of arbitrary finance; none of the bold frauds of bankrupt power; none of the wild struggles and plunges of despotism in distress; no lopping off from the capital of debt; no suspension of interest; no robbery under the name of loan; no raising the value, no debasing the substance of the coin. I see neither Louis the Fourteenth, nor Louis the Fifteenth. On the contrary, I behold with astonishment, rising before me, by the very hands of arbitrary power, and in the very midst of war and confusion, a regular, methodical system of public credit; I behold a fabric laid on the natural and solid foundations of trust and confidence among men; and rising, by fair gradations, order over order, according to the just rules of symmetry and art. What a reverse of things! Principle, method, regularity, economy, frugality, justice to individuals, and care of the people, are the resources with which France makes war upon Great Britain. God avert the omen! But if we should see any genius in war and politics arise in France, to second what is done in the bureau!—I turn my eyes from the consequences.

To the last kind of necessity, the desires of the people, I have but a very few words to say. The ministers seem to contest this point; and effect to doubt, whether the people do really desire a plan of economy in the civil government. Sir, this is too ridiculous. It is impossible that they should not desire it. It is impossible that a prodigality which draws its resources from their indigence, should be pleasing to them. Little factions of pensioners, and their dependants, may talk another language. But the voice of nature is against them, and it will be heard. The people of England will not, they cannot take it kindly, that representatives should refuse to their constituents, what an absolute sovereign voluntarily offers to his subjects. The expression of the petitions is, that "before any new burthens are laid upon this country, effectual measures be taken by this house, to enquire into, and correct, the gross abuses in the expenditure of public money."

This has been treated by the noble lord in the blue ribbon, as a wild factious language. It happens, however, that the people in their address to us, use almost word for word the same terms as the king of France uses in addressing himself to his people; and it differs only, as it falls short of the French king's idea of what is due to his subjects. "To convince," says he, "our faithful subjects of the desire we entertain not to recur to new impositions, until we have first exhausted all the resources which order and economy can possibly supply,"—&c. &c.

These desires of the people of England, which come far short of the voluntary concessions of the king of France, are moderate indeed. They only contend that we should interweave some economy with the taxes with which we have chosen to begin the war. They request, not that you should rely upon economy exclusively, but that you should give it rank and precedence, in the order of the ways and means of this single session.

But if it were possible, that the desires of our constituents, desires which are at once so natural, and so very much tempered and subdued, should have no weight with a house of commons, which has its eye elsewhere; I would turn my eyes to the very quarter to which theirs are directed. I would reason this matter with the house, on the mere policy of the question; and I would undertake to prove, that an early dereliction of abuse, is the direct interest of government, of government taken abstractedly from its duties, and considered merely as a system intending its own conservation.

If there is any one eminent criterion, which, above all the rest, distinguishes a wise government from an administration weak and improvident, it is this:—"well to know the best time, and manner of yielding, what it is impossible to keep."—There have been, sir, and there are, many who choose to chicane with their situation, rather than be instructed by it. Those gentlemen argue against every desire of reformation, upon the principles of a criminal prosecution. It is enough for them to justify their adherence to a pernicious system, that it is not of their contrivance; that it is an inheritance of absurdity, derived to them from their ancestors; that they can make out a long and unbroken pedigree of mismanagers that have gone before them. They are proud of the antiquity of their house; and they defend their errors, as if they were defending their inheritance: afraid of derogating from their nobility, and carefully avoiding a sort of blot in their scutcheon, which they think would degrade them for ever.

It was thus that the unfortunate Charles the First defended himself on the practice of the Stuart who went before him, and of all the Tudors; his partizans might have gone to the Plantagenets.—They might have found bad examples enough, both abroad and at home, that could have shewn an ancient and illustrious descent. But there is a time, when men will not suffer bad things because their ancestors have suffered worse. There is a

time, when the hoary head of inveterate abuse will neither draw reverence nor obtain protection. If the noble lord in the blue ribbon pleads, "*not guilty*," to the charges brought against the present system of public economy, it is not possible to give a fair verdict by which he will not stand acquitted. But pleading is not our present business. His plea or his traverse may be allowed as an answer to a charge, when a charge is made. But if he puts himself in the way to obstruct reformation, then the faults of his office instantly become his own. Instead of a public officer in an abusive department, whose province is an object to be regulated, he becomes a criminal who is to be punished. I do most seriously put it to administration, to consider the wisdom of a timely reform. Early reformations are amicable arrangements with a friend in power: Late reformations are terms imposed upon a conquered enemy; early reformations are made in cool blood; late reformations are made under a state of inflammation. In that state of things the people behold in government nothing that is respectable. They see the abuse, and they will see nothing else—they fall into the temper of a furious populace, provoked at the disorder of a house of ill fame: they never attempt to correct or regulate; they go to work by the shortest way—they abate the nuisance—they pull down the house.

This is my opinion with regard to the true interest of government. But as it is the interest of government that reformation should be early, it is the interest of the people that it should be temperate. It is their interest, because a temperate reform is permanent; and because it has a principle of growth. Whenever we improve, it is right to leave room for a further improvement. It is right to consider, to look about us, to examine the effect of what we have done.—Then we can proceed with confidence, because we can proceed with intelligence.—Whereas in hot reformations, in what men, more zealous than considerate, call *making clear work*

the whole is generally so crude, so harsh, so indigested; mixed with so much imprudence, and so much injustice; so contrary to the whole course of human nature and human institutions, that the very people who are most eager for it, are among the first to grow disgusted at what they have done. Then some part of the abdicated grievance is recalled from its exile, in order to become a corrective of the correction. Then the abuse assumes all the credit and popularity of a reform. The very idea of purity and disinterestedness in politics falls into disrepute, and is considered as a vision of hot and inexperienced men; and thus disorders become incurable, not by the virulence of their own quality, but by the unapt and violent nature of the remedies. A great part therefore of my idea of reform, is meant to operate gradually; some benefits will come at a nearer, some at a more remote period. We must no more make haste to be rich by parsimony, than by intemperate acquisition.

I am therefore satisfied to act as a fair mediator between government and the people, endeavouring to form a plan which should have both an early and a temperate operation. I mean, that it should be substantial; that it should be systematic. That it should rather strike at the first cause of prodigality and corrupt influence, than attempt to follow them in all their effects.

It was to fulfil the first of these objects (the proposal of something substantial) that I found myself obliged at the out-set, to reject a plan proposed by an honourable gentleman, and attentive member of parliament,* with very good intentions on his part, about a year or two ago. Sir, the plan I speak of, was the tax of 25 *per cent.* moved upon places and pensions during the continuance of the American war.—Nothing, sir, could have met my ideas more than such a tax, if it was considered as a practical satire on that war, and as a penalty upon those who led us into it; but in any other

* Thomas Gilbert, Esq. member for Litchfield.

view it appeared to me very liable to objections. I consider the scheme as neither substantial, nor permanent nor systematical, nor likely to be a corrective of evil influence. I have always thought employments a very proper subject of regulation, but a very ill-chosen subject for a tax. An equal tax upon property is reasonable because the object is of the same quality throughout. The species is the same—it differs only in its quantity: but a tax upon salaries is totally of a different nature; there can be no equality, and consequently no justice, in taxing them by the hundred, in the gross.

We have, sir, on our establishment, several offices which perform real service.—We have also places that provide large rewards for no service at all. We have stations which are made for the public decorum; made for preserving the grace and majesty of a great people. We have likewise expensive formalities, which tend rather to the disgrace than the ornament of the state and the court. This, sir, is the real condition of our establishments. To fall with the same severity on objects so perfectly dissimilar, is the very reverse of a reformation. I mean a reformation framed, as all serious things ought to be, in number, weight, and measure. Suppose, for instance, that two men receive a salary of 800l. a year each.—In the office of one, there is nothing at all to be done; in the other, the occupier is oppressed by its duties.—Strike off twenty-five *per cent.* from these two offices, you take from one man 200l. which in justice he ought to have, and you give in effect to the other 600l. which he ought not to receive. The public robs the former, and the latter robs the public; and this mode of mutual robbery is the only way in which the office and the public can make up their accounts.

In effect such a scheme is not calculated to produce, but to prevent reformation. It holds out a shadow of present gain to a greedy and necessitous public, to divert their attention from those abuses, which in reality are the great causes of their wants. It is a composition

to stay enquiry; it is a fine paid by mismanagement, for the renewal of its lease. What is worse, it is a fine paid by industry and merit, for an indemnity to the idle and the worthless. But I shall say no more upon this topic, because (whatever may be given out to the contrary) I know that the noble lord in the blue ribbon perfectly agrees with me in these sentiments.

Having thus, sir, rejected the plan of a taxation of office,—my next business was to find something which might be really substantial and effectual. I am quite clear, that if we do not go to the very origin and first ruling cause of grievances, we do nothing. What does it signify to turn abuses out of one door, if we are to let them in at another? What does it signify to promote economy upon a measure, and to suffer it to be subverted in the principle? Our ministers are far from being wholly to blame for the present ill order which prevails. Whilst institutions directly repugnant to good management are suffered to remain, no effectual or lasting reform *can* be introduced.

I therefore thought it necessary, as soon as I conceived thoughts of submitting to you some plan of reform, to take a comprehensive view of the state of this country; to make a sort of survey of its jurisdictions, its estates, and its establishments. Something, in every one of them, seemed to me to stand in the way of all economy in their administration, and prevented every possibility of methodizing the system. But being, as I ought to be, doubtful of myself, I was resolved not to proceed in an *arbitrary* manner, in any particular which tended to change the settled state of things, or in any degree to affect the fortune or situation, the interest or the importance of any individual. By an arbitrary proceeding, I mean one conducted by the private opinions, tastes, or feelings, of the man who attempts to regulate. These private measures are not standards of the exchequer, nor balances of the sanctuary. General principles cannot be debauched or corrupted by interest

or caprice; and by those principles I was resolved to work.

Sir, before I proceed further, I will lay these principles fairly before you, that afterwards you may be in a condition to judge whether every object of regulation, as I propose it, comes fairly under its rule. This will exceedingly shorten all discussion between us, if we are perfectly in earnest in establishing a system of good management. I therefore lay down to myself, seven fundamental rules; they might indeed be reduced to two or three simple maxims, but they would be too general, and their application to the several heads of the business before us, would not be so distinct and visible. I conceive, then,

First, That all jurisdictions which furnish more matter of expence, more temptation to oppression, or more means and instruments of corrupt influence, than advantage to justice or political administration, ought to be abolished.

Secondly, That all public estates which are more subservient to the purposes of vexing, overawing, and influencing those who hold under them, and to the expence of reception and management, than of benefit to the revenue, ought, upon every principle, both of revenue and of freedom, to be disposed of.

Thirdly, That all offices which bring more charge than proportional advantage to the state; that all offices which may be engrafted on others, uniting and simplifying their duties, ought in the first case, to be taken away; and in the second to be consolidated.

Fourthly, That all such offices ought to be abolished as obstruct the prospect of the general superintendant of finance; which destroy his superintendency, which disable him from foreseeing and providing for charges as they may occur; from preventing expence in its origin, checking it in its progress, or securing its application to its proper purposes. A minister under whom expences can be made without his knowledge, can

never say what it is that he can spend, or what it is that he can save.

Fifthly, That it is proper to establish an invariable order in all payments; which will prevent partiality; which will give preference to services, not according to the importunity of the demandant, but the rank and order of their utility or their justice.

Sixthly, That it is right to reduce every establishment, and every part of an establishment (as nearly as possible) to certainty, the life of all order and good management.

Seventhly, That all subordinate treasuries, as the nurseries of mismanagement, and as naturally drawing to themselves as much money as they can, keeping it as long as they can, and accounting for it as late as they can, ought to be dissolved. They have a tendency to perplex and distract the public accounts, and to excite a suspicion of government, even beyond the extent of their abuse.

Under the authority and with the guidance of these principles, I proceed; wishing that nothing in any establishment may be changed, where I am not able to make a strong, direct, and solid application of those principles, or of some one of them. An economical constitution is a necessary basis for an economical administration.

First, with regard to the sovereign jurisdictions, I must observe, sir, that whoever takes a view of this kingdom in a cursory manner, will imagine, that he beholds a solid, compacted, uniform system of monarchy; in which all inferior jurisdictions are but as rays diverging from one center. But on examining it more nearly, you find much eccentricity and confusion. It is not a *monarchy* in strictness. But, as in the Saxon times this country was an heptarchy, it is now a strange sort of *pentarchy*. It is divided into five several distinct principalities, besides the supreme. There is indeed this difference from the Saxon times, that as in the itinerant

exhibitions of the stage, for want of a complete company, they are obliged to cast a variety of parts on their chief performer; so our sovereign condescends himself to act, not only the principal, but all the subordinate parts in the play. He condescends to dissipate the royal character, and to trifle with those light, subordinate, lackered sceptres, in those hands that sustain the ball representing the world, or which wield the trident that commands the ocean. Cross a brook, and you lose the king of England; but you have some comfort in coming again under his majesty, though "shorn of his beams," and no more than prince of Wales. Go to the north, and you find him dwindled to a duke of Lancaster; turn to the west of that north, and he pops upon you in the humble character of earl of Chester. Travel a few miles on, the earl of Chester disappears, and the king surprises you again as count palatine of Lancaster. If you travel beyond Mount Edgecomb, you find him once more in his incognito, and he is duke of Cornwall. So that, quite fatigued and satiated with this dull variety, you are infinitely refreshed when you return to the sphere of his proper splendour, and behold your amiable sovereign in his true, simple, undisguised, native character of majesty.

In every one of these five principalities, duchies, palatinates, there is a regular establishment of considerable expence, and most domineering influence. As his majesty submits to appear in this state of subordination to himself, so his loyal peers and faithful commons attend his royal transformations; and are not so nice as to refuse to nibble at those crumbs of emoluments, which console their petty metamorphoses. Thus every one of these principalities has the apparatus of a kingdom, for the jurisdiction over a few private estates; and the formality and charge of the exchequer of Great Britain, for collecting the rents of a country squire. Cornwall is the best of them; but when you compare the charge with the receipt, you will find that it furnishes no ex-

ception to the general rule. The duchy and county palatine of Lancaster do not yield, as I have reason to believe, on an average of twenty years, four thousand pounds a year clear to the crown. As to Wales, and the county palatine of Chester, I have my doubts, whether their productive exchequer yields any returns at all. Yet one may say, that this revenue is more faithfully applied to its purposes than the rest; as it exists for the sole purpose of multiplying offices, and extending influence.

An attempt was lately made to improve this branch of local influence, and to transfer it to the fund of general corruption. I have on the seat behind me, the constitution of Mr. John Probert; a knight-errant, dubbed by the noble lord in the blue ribbon, and sent to search for revenues and adventures upon the mountains of Wales. The commission is remarkable; and the event not less so. The commission sets forth, that "upon a report of the *deputy auditor* (for there is a deputy auditor) of the principality of Wales, it appeared, that his majesty's land-revenues in the said principality, *are greatly diminished*;"—and "that upon a *report* of the *surveyor general* of his majesty's land-revenues, upon a *memorial* of the auditor of his majesty's revenues *within the said principality*, that his mines and forests have produced very *little profit either to the public revenue or to individuals*;"—and therefore they appoint Mr. Probert, with a pension of three hundred pounds a year from the said principality, to try whether he can make any thing more of that very *little* which is stated to be so *greatly* diminished. "*A beggarly account of empty boxes.*" And yet, sir, you will remark—that this diminution from littleness (which serves only to prove the infinite divisibility of matter) was not for want of the tender and officious care (as we see) of surveyors general, and surveyors particular; of auditors and deputy-auditors; not for want of memorials, and remonstrances, and reports, and

commissions, and constitutions, and inquisitions, and pensions.

Probert thus armed and accoutred, and paid, proceeded on his adventure; but he was no sooner arrived on the confines of Wales, than all Wales was in arms to meet him. That nation is brave and full of spirit. Since the invasion of king Edward, and the massacre of the bards, there never was such a tumult, and alarm, and uproar, through the region of *Prestatyn*. *Snowdon* shook to its base; *Cader Edris* was loosened from its foundations. The fury of litigious war blew her horn on the mountains. The rocks poured down their goatherds, and the deep caverns vomited out their miners. Every thing above ground, and every thing under ground, was in arms.

In short, sir, to alight from my Welch Pegasus, and to come to level ground; the *Preux Chevalier* Probert went to look for revenue, like his masters upon other occasions; and like his masters, he found rebellion. But we were grown cautious by experience. A civil war of paper might end in a more serious war; for now remonstrance met remonstrance, and memorial was opposed to memorial. In truth, sir, the attempt was no less an affront upon the understanding of that respectable people, than it was an attack on their property. The wise Britons thought it more reasonable, that the poor, wasted, decrepit revenue of the principality, should die a natural than a violent death. They chose that their ancient moss-grown castles should moulder into decay, under the silent touches of time, and the slow formality of an oblivious and drowsy exchequer, rather than that they should be battered down all at once, by the lively efforts of a pensioned engineer. As it is the fortune of the noble lord to whom the auspices of this campaign belonged, frequently to provoke resistance, so it is his rule and his nature to yield to that resistance *in all cases whatsoever*. He was true to himself on this occasion. He submitted with spirit to the spirited re-

monstrances of the Welch. Mr. Probert gave up his adventure, and keeps his pension—and so ends "the famous history of the revenue adventurers of the bold baron North, and the good knight Probert, upon the mountains of Venodotia."

In such a state is the exchequer of Wales at present, that, upon the report of the treasury itself, its *little* revenue is *greatly* diminished; and we see by the whole of this strange transaction, that an attempt to improve it produces resistance; the resistance produces submission; and the whole ends in pension.

It is nearly the same with the revenues of the duchy of Lancaster. To do nothing with them is extinction; to improve them is oppression. Indeed, the whole of the estates which support these principalities, is made up, not of revenues and rents and profitable fines, but of claims, of pretensions, of vexations, of litigations. They are exchequers of unfrequent receipt, and constant charge; a system of finance, not fit for an economist who would be rich; not fit for a prince who would govern his subjects with equity and justice.

It is not only between prince and subject, that these mock jurisdictions, and mimic revenues, produce great mischief. They excite among the people a spirit of informing and delating; a spirit of supplanting and undermining one another. So that many in such circumstances, conceive it advantageous to them rather to continue subject to vexation themselves, than to give up the means and chance of vexing others. It is exceedingly common for men to contract their love to their country into an attachment to its petty subdivisions; and they sometimes even cling to their provincial abuses, as if they were franchises, and local privileges. Accordingly, in places where there is much of this kind of estate, persons will be always found, who would rather trust to their talents in recommending themselves to power for the renewal of their interests, than incumber their purses, though never so lightly, in order to transmit in-

dependence, to their posterity. It is a great mistake, that the desire of securing property is universal among mankind. Gaming is a principle inherent in human nature. It belongs to us all. I would therefore break those tables; I would furnish no evil occupation for that spirit. I would make every man look every where, except to the intrigue of a court, for the improvement of his circumstances, or the security of his fortune. I have in my eye a very strong case in the duchy of Lancaster (which lately occupied Westminster-hall and the house of lords) as my voucher for many of these reflections.*

For what plausible reason are these principalities suffered to exist? When a government is rendered complex (which in itself is no desirable thing) it ought to be for some political end, which cannot be answered otherwise. Subdivisions in government are only admissible in favour of the dignity of inferior princes, and high nobility; or for the support of an aristocratic confederacy under some head; or for the conservation of the franchises of the people in some privileged province. Such, for the two former of these ends, are the subdivisions in favour of the electoral, and other princes in the empire: for the latter of these purposes, are the jurisdictions of the imperial cities, and the Hanse towns. For the latter of these ends, are also the countries of the States, (*Pays d' Etats*) and certain cities and orders in France. Those are all regulations with an object, and some of them with a very good object. But how are the principles of any of these subdivisions applicable in the case before us?

Do they answer any purpose to the king? The principality of Wales was given by patent to Edward the Black Prince, on the ground on which it has stood ever since.—Lord Coke sagaciously observes upon it, "that "in the charter of creating the Black Prince Edward

* Case of Richard Lee, Esq. Appellant, against George Venables Lord Vernon, Respondent, in the year 1776.

prince of Wales, there is a *great mystery*—for *less* than an estate of inheritance, so *great* a prince *could* not have, and an *absolute estate of inheritance* in so *great* a principality as Wales (this principality being *so dear* to him) he *should* not have; and therefore it was made, *sibi et heredibus suis regibus Angliæ*, that by his decease, or attaining to the crown, it might be extinguished in the crown."

For the sake of this foolish *mystery*, of what a great prince *could* not have *less*, and *should* not have *so much*, of a principality which was too *dear* to be given, and too *great* to be kept—and for no other cause; that ever I could find—this form and shadow of a principality without any substance, has been maintained. That you may judge in this instance (and it serves for the rest) of the difference between a great and a little economy, you will please to recollect, sir, that Wales may be about the tenth part of England in size and population; and certainly not a hundreth part in opulence. Twelve judges perform the whole of the business, both of the stationary and the itinerate justice of this kingdom; but for Wales, there are eight judges. There is in Wales an exchequer, as well as in all the duchies, according to the very best and most authentic absurdity of form. There are in all of them, a hundred more difficult trifles and laborious fooleries, which serve no other purpose than to keep alive corrupt hope and servile dependence.

These principalities are so far from contributing to the ease of the king, to his wealth, or his dignity, that they render both his supreme and his subordinate authority, perfectly ridiculous. It was but the other day, that that pert factious fellow, the duke of Lancaster, presumed to fly in the face of his liege lord, our gracious sovereign: and *associating* with a parcel of lawyers as factious as himself, to the destruction of *all law and order*, and *in committees leading directly to rebellion*—presumed to go to law with the king. The object is neither your business, nor mine. Which of the parties got the

better I really forget. I think it was (as it ought to be) the king. The material point is, that the suit cost about fifteen thousand pounds. But as the duke of Lancaster is but a sort of *duke Humphrey*, and not worth a groat, our sovereign was obliged to pay the costs of both. Indeed, this art of converting a great monarch into a little prince, this royal masquerading, is a very dangerous and expensive amusement, and one of the king's *menus plaisirs*, which ought to be reformed. This duchy, which is not worth four thousand pounds a year at best, to *revenue*, is worth forty or fifty thousand to *influence*.

The Duchy of Lancaster, and the county palatine of Lancaster, answered, I admit, some purpose in their original creation. They tended to make a subject imitate a prince. When Henry the Fourth from that stair ascended the throne, high minded as he was, he was not willing to kick away the ladder. To prevent that principality from being extinguished in the crown, he severed it by act of parliament. He had a motive, such as it was; he thought his title to the crown unsound, and his possession insecure. He therefore managed a retreat in his duchy; which lord Coke calls (I do not know why) *par multis regnis*. He flattered himself that it was practicable to make a projecting point half way down, to break his fall from the precipice of royalty; as if it were possible for one who had lost a kingdom to keep any thing else. However, it is evident that he thought so. When Henry the Fifth united, by act of parliament, the estates of his mother to the duchy, he had the same predilection with his father to the root of his family honours, and the same policy in enlarging the sphere of a possible retreat from the slippery royalty of the two great crowns he held. All this was changed by Edward the Fourth. He had no such family partialities, and his policy was the reverse of that of Henry the Fourth and Henry the Fifth. He accordingly again united the duchy of Lancaster to the crown. But when Henry the Seventh, who chose to consider himself as of the house

of Lancaster, came to the throne, he brought with him the old pretensions, and the old politics of that house. A new act of parliament, a second time, dissevered the duchy of Lancaster from the crown; and in that line things continued until the subversion of the monarchy, when principalities and powers fell along with the throne. The duchy of Lancaster must have been extinguished, if Cromwell, who began to form ideas of aggrandizing his house, and raising the several branches of it, had not caused the duchy to be again separated from the commonwealth, by an act of the parliament of those times.

What partiality, what objects of the politics of the house of Lancaster, or of Cromwell, has his present majesty, or his majesty's family? What power have they within any of these principalities, which they have not within their kingdom? In what manner is the dignity of the nobility concerned in these principalities? What rights have the subject there, which they have not at least equally in every other part of the nation? These distinctions exist for no good end to the king, to the nobility, or to the people. They ought not to exist at all. If the crown (contrary to its nature, but most conformably to the whole tenor of the advice that has been lately given) should so far forget its dignity, as to contend, that these jurisdictions and revenues are estates of private property, I am rather for acting as if that groundless claim were of some weight, than for giving up that essential part of the reform. I would value the clear income, and give a clear annuity to the crown, taken on the medium produce for twenty years.

If the crown has any favourite name or title, if the subject has any matter of local accommodation within any of these jurisdictions, it is meant to preserve them; and to improve them, if any improvement can be suggested. As to the crown reversions or titles upon the property of the people there, it is proposed to convert them from a snare to their independence, into a relief

from their burthens. I propose, therefore, to unite all the five principalities to the crown, and to its ordinary jurisdiction; to abolish all those offices that produce an useless and chargeable separation from the body of the people; to compensate those who do not hold their offices (if any such there are) at the pleasure of the crown; to extinguish vexatious titles by an act of short limitation; to sell those unprofitable estates which support useless jurisdictions; and to turn the tenant-right into a fee, on such moderate terms as will be better for the state than its present right, and which it is impossible for any rational tenant to refuse.

As to the duchies, their judicial economy may be provided for without charge. They have only to fall of course into the common county administration. A commission more or less made or omitted, settles the matter fully. As to Wales, it has been proposed to add a judge to the several courts of Westminster-hall; and it has been considered as an improvement in itself. For my part, I cannot pretend to speak upon it with clearness or with decision; but certainly this arrangement would be more than sufficient for Wales. My original thought was to suppress five of the eight judges, and to leave the chief justice of Chester, with the two senior judges; and, to facilitate the business, to throw the twelve counties into six districts, holding the sessions alternately in the counties of which each district shall be composed. But on this I shall be more clear when I come to the particular bill.

Sir, the house will now see whether, in praying for judgment against the minor principalities, I do not act in conformity to the laws that I had laid down to myself, of getting rid of every jurisdiction more subservient to oppression and expence, than to any end of justice or honest policy; of abolishing offices more expensive than useful; of combining duties improperly separated; of changing revenues more vexatious than productive, into ready money; of suppressing offices which stand in the way of economy; and of cutting off lurking sub-

ordinate treasuries. Dispute the rules; controvert the application; or give your hands to this salutary measure.

Most of the same rules will be found applicable to my second object—*the landed estate of the crown.* A landed estate is certainly the very worst which the crown can possess. All minute and dispersed possessions, possessions that are often of indeterminate value, and which require a continued personal attendance, are of a nature more proper for private management, than public administration.—They are fitter for the care of a frugal land steward, than of an office in the state. Whatever they may possibly have been in other times, or in other countries, they are not of magnitude enough with us to occupy a public department, nor to provide for a public object. They are already given up to parliament, and the gift is not of great value. Common prudence dictates, even in the management of private affairs, that all dispersed and chargeable estates, should be sacrificed to the relief of estates more compact and better circumstanced.

As to the *forest lands*, in which the crown has (where they are not granted or prescriptively held) the *dominion* of the *soil*, and the *vert* and *venison*; that is to say, the timber and the game, and in which the people have a variety of rights, in common of herbage, and other commons, according to the usage of the several forests;—I propose to have those rights of the crown valued, as manerial rights are valued on an inclosure, and a defined portion of land to be given for them; which land is to be sold for the public benefit.

As to the timber, I propose a survey of the whole. What is useless for the naval purposes of the kingdom, I would condemn, and dispose of for the security of what may be useful; and to inclose such other parts as may be most fit to furnish a perpetual supply; wholly extinguishing, for a very obvious reason, all right of *venison* in those parts.

I believe, sir, it will hardly be necessary for me to

add, that in this sale of the landed estate of the crown I naturally except all the houses, gardens, and parks belonging to the crown, and such one forest as shall be chosen by his majesty, as best accommodated to his pleasures.

By means of this part of the reform, will fall the expensive office of *surveyor general*, with all the influence that attends it. By this, will fall *two chief justices in Eyre*, with all their train of dependants. You need be under no apprehension, sir, that your office is to be touched in its emoluments. They are yours by law; and they are but a moderate part of the compensation which is given to you for the ability with which you execute an office of quite another sort of importance: it is far from overpaying your diligence; or more than sufficient for sustaining the high rank you stand in, as the first gentleman of England. As to the duties of your chief justiceship, they are very different from those for which you have received the office. Your dignity is too high for a jurisdiction over wild beasts; and your learning and talents too valuable to be wasted as chief justice of a desert. I cannot reconcile it to myself, that you, sir, should be stuck up as a useless piece of antiquity.

I have now disposed of the unprofitable landed estates of the crown, and thrown them into the mass of private property; by which they will come, through the course of circulation, and through the political secretions of the state, into our better understood and better ordered revenues.

I come next to the great supreme body of the civil government itself. I approach it with that awe and reverence with which a young physician approaches to the cure of the disorders of his parent. Disorders, sir, and infirmities, there are—such disorders, that all attempts towards method, prudence, and frugality, will be perfectly vain, whilst a system of confusion remains, which is not only alien but adverse to all economy; a system, which is not only prodigal in its very essence, but causes

every thing else which belongs to it to be prodigally conducted.

It is impossible, sir, for any person to be an economist where no order in payments is established; it is impossible for a man to be an economist, who is not able to take a comparative view of his means, and of his expences, for the year which lies before him; it is impossible for a man to be an economist, under whom various officers in their several departments may spend, even just what they please,—and often with an emulation of expence, as contributing to the importance, if not profit, of their several departments.—Thus much is certain; that neither the present, nor any other first lord of the treasury, has been ever able to take a survey, or to make even a tolerable guess, of the expences of government for any one year; so as to enable him with the least degree of certainty, or even probability, to bring his affairs within compass. Whatever scheme may be formed upon them, must be made on a calculation of chances. As things are circumstanced, the first lord of the treasury cannot make an estimate. I am sure I serve the king, and I am sure I assist administration, by putting economy at least in their power. We must *class services*; we must (as far as their nature admits) *appropriate* funds; or every thing, however reformed, will fall again into the old confusion.

Coming upon this ground of the civil list, the first thing in dignity and charge that attracts our notice, is the *royal household*. This establishment, in my opinion, is exceedingly abusive in its constitution. It is formed upon manners and customs, that have long since expired. In the first place, it is formed, in many respects, upon *feudal principles*. In the feudal times, it was not uncommon, even among subjects, for the lowest offices to be held by considerable persons; persons, as unfit by their incapacity, as improper from their rank, to occupy such employments. They were held by patent, sometimes for life, and sometimes by inheritance. If my

memory does not deceive me, a person of no slight consideration held the office of patent hereditary cook to an earl of Warwick.—The earl of Warwick's soups, I fear, were not the better for the dignity of his kitchen. I think it was an earl of Gloucester, who officiated as steward of the household to the archbishops of Canterbury. Instances of the same kind may in some degree be found in the Northumberland house-book, and other family records. There was some reason in ancient necessities, for these ancient customs. Protection was wanted; and the domestic tie, though not the highest, was the closest.

The king's household has not only several strong traces of this *feudality*, but it is formed also upon the principles of a *body corporate*. It has its own magistrates, courts, and by-laws. This might be necessary in the ancient times, in order to have a government within itself, capable of regulating the vast and often unruly multitude which composed and attended it. This was the origin of the ancient court called the *Green Cloth*, composed of the marshal, treasurer, and other great officers of the household, with certain clerks. The rich subjects of the kingdom, who had formerly the same establishments, (only on a reduced scale) have since altered their economy; and turned the course of their expence, from the maintenance of vast establishments within their walls, to the employment of a great variety of independent trades abroad. Their influence is lessened; but a mode of accommodation and a style of splendour, suited to the manners of the times, has been encreased. Royalty itself has insensibly followed; and the royal household has been carried away by the resistless tide of manners: but with this very material difference—Private men have got rid of the establishments along with the reasons of them; whereas the royal household has lost all that was stately and venerable in the antique manners, without retrenching any thing of the cumbrous charge of a Gothic establishment. It is shrunk into the

polished littleness of modern elegance and personal accommodation. It has evaporated from the gross concrete, into an essence and rectified spirit of expence, where you have tuns of ancient pomp in a vial of modern luxury.

But when the reason of old establishments is gone, it is absurd to preserve nothing but the burthen of them. This is superstitiously to embalm a carcass not worth an ounce of the gums that are used to preserve it. It is to burn precious oils in the tomb; it is to offer meat and drink to the dead,—not so much an honour to the deceased, as a disgrace to the survivors. Our palaces are vast inhospitable halls. There the bleak winds, there, "Boreas, and Eurus, and Caurus, and Argestes loud," howling through the vacant lobbies, and clattering the doors of deserted guard-rooms, appal the imagination, and conjure up the grim spectres of departed tyrants—the Saxon, the Norman, and the Dane; the stern Edwards and the fierce Henrys—who stalk from desolation to desolation, through the dreary vacuity, and melancholy succession of chill and comfortless chambers. When this tumult subsides, a dead, and still more frightful silence would reign in this desert, if every now and then the tacking of hammers did not announce, that those constant attendants upon all courts, in all ages, Jobbs, were still alive; for whose sake alone it is, that any trace of ancient grandeur is suffered to remain. These palaces are a true emblem of some governments; the inhabitants are decayed, but the governors and magistrates still flourish. They put me in mind of *Old Sarum*, where the representatives, more in number than the constituents, only serve to inform us, that this was once a place of trade, and sounding with "the busy hum of men," though now you can only trace the streets by the colour of the corn; and its sole manufacture is in members of parliament.

These old establishments were formed also on a third principle, still more adverse to the living economy

of the age. They were formed, sir, on the principle of *purveyance*, and *receipt in kind*. In former days, when the household was vast, and the supply scanty and precarious, the royal purveyors, sallying forth from under the Gothic portcullis, to purchase provision with power and prerogative, instead of money, brought home the plunder of an hundred markets, and all that could be seized from a flying and hiding country, and deposited their spoil in an hundred caverns, with each its keeper. There, every commodity, received in its rawest condition, went through all the processes which fitted it for use. This inconvenient receipt produced an economy suited only to itself. It multiplied offices beyond all measure; buttery, pantry, and all that rabble of places, which, though profitable to the holders and expensive to the state, are almost too mean to mention.

All this might be, and I believe was necessary at first for it is remarkable, that *purveyance*, after its regulation had been the subject of a long line of statutes, (not fewer, I think, than twenty-six) was wholly taken away by the twelfth of Charles the Second; yet in the next year of the same reign, it was found necessary to revive it by a special act of parliament, for the sake of the king's journeys. This, sir, is curious; and what would hardly be expected in so reduced a court as that of Charles the Second, and in so improved a country as England might then be thought. But so it was. In our time, one well filled and well covered stage-coach, requires more accommodation than a royal progress; and every district, at an hour's warning, can supply an army.

I do not say, sir, that all these establishments, whose principle is gone, have been systematically kept up for influence solely; neglect had its share. But this I am sure of, that a consideration of influence has hindered any one from attempting to pull them down. For the purposes of influence, and for those purposes only, are retained half at least of the household establishments. No revenue, no not a royal revenue, can exist under the

accumulated charge of ancient establishment, modern luxury, and parliamentary political corruption.

If therefore we aim at regulating this household, the question will be, whether we ought to economize by *detail*, or by *principle?* The example we have had of the success of an attempt to economize by detail, and under establishments adverse to the attempt, may tend to decide this question.

At the beginning of his majesty's reign, lord Talbot came to the administration of a great department in the household. I believe no man ever entered into his majesty's service, or into the service of any prince, with a more clear integrity, or with more zeal and affection for the interest of his master; and I must add, with abilities for a still higher service. Economy was then announced as a maxim of the reign. This noble lord, therefore, made several attempts towards a reform. In the year 1777, when the king's civil list debts came last to be paid, he explained very fully the success of his undertaking. He told the house of lords, that he had attempted to reduce the charges of the king's tables, and his kitchen.—The thing, sir, was not below him. He knew, that there is nothing interesting in the concerns of men, whom we love and honour, that is beneath our attention.—"Love," says one of our old poets, "esteems no office mean;" and with still more spirit, "Entire affection scorneth nicer hands." Frugality, sir, is founded on the principle, that all riches have limits. A royal household, grown enormous, even in the meanest departments, may weaken and perhaps destroy all energy in the highest offices of the state. The gorging a royal kitchen may stint and famish the negotiations of a kingdom. Therefore, the object was worthy of his, was worthy of any man's attention.

In consequence of this noble lord's resolution, (as he told the other house) he reduced several tables, and put the persons entitled to them upon board wages, much to their own satisfaction. But unluckily, subsequent

duties requiring constant attendance, it was not possible to prevent their being fed where they were employed —and thus this first step towards economy doubled the expence.

There was another disaster far more doleful than this. I shall state it, as the cause of that misfortune lies at the bottom of almost all our prodigality. Lord Talbot attempted to reform the kitchen: but such, as he well observed, is the consequence of having duty done by one person whilst another enjoys the emoluments, that he found himself frustrated in all his designs. On that rock his whole adventure split—his whole scheme of economy was dashed to pieces. His department became more expensive than ever; the civil list debt accumulated—Why? It was truly from a cause, which, though perfectly adequate to the effect, one would not have instantly guessed;—It was because the *turnspit in the king's kitchen was a member of parliament.* The king's domestic servants were all undone; his tradesmen remained unpaid and became bankrupt—*because the turnspit of the king's kitchen was a member of parliament.* His majesty's slumbers were interrupted, his pillow was stuffed with thorns, and his peace of mind entirely broken,—*because the king's turnspit was a member of parliament.* The judges were unpaid; the justice of the kingdom bent and gave way; the foreign ministers remained inactive and unprovided; the system of Europe was dissolved; the chain of our alliances was broken; all the wheels of government at home and abroad were stopped;—*because the king's turnspit was a member of parliament.*

Such, sir, was the situation of affairs, and such the cause of that situation, when his majesty came a second time to parliament, to desire the payment of those debts which the employment of its members in various offices, visible and invisible, had occasioned. I believe that a like fate will attend every attempt at economy by detail, under similar circumstances, and in every depart-

ment. A complex operose office of account and control, is in itself, and even if members of parliament had nothing to do with it, the most prodigal of all things. The most audacious robberies, or the most subtle frauds, would never venture upon such a waste, as an over-careful, detailed guard against them will infalliably produce. In our establishments we frequently see an office of an account of an hundred pounds a year expence, and another office, of an equal expence, to control that office, and the whole upon a matter that is not worth twenty shillings.

To avoid frittering and crumbling down the attention, by a blind unsystematic observance of every trifle, it has ever been found the best way, to do all things, which are great in the total amount, and minute in the component parts, by a *general contract*. The principles of trade have so pervaded every species of dealing, from the highest to the lowest objects; all transactions are got so much into system; that we may at a moment's warning, and to a farthing's value, be informed at what rate any service may be supplied. No dealing is exempt from the possibility of fraud. But by a contract on a matter certain, you have this advantage—you are sure to know the utmost *extent* of the fraud to which you are subject. By a contract with a person in *his own trade*, you are sure you shall not suffer by *want of skill*. By a *short* contract you are sure of making it the *interest* of the contractor to exert that skill for the satisfaction of his employers.

I mean to derogate nothing from the diligence or integrity of the present, or of any former board of green-cloth. But what skill can members of parliament obtain in that low kind of province? What pleasure can they have in the execution of that kind of duty? And if they should neglect it, how does it affect their interest, when we know that it is their vote in parliament, and not their diligence in cookery or catering, that recommends them to their office, or keeps them in it.

I therefore propose, that the king's tables (to whatever number of tables, or covers to each, he shall think proper to command) should be classed by the steward of the household, and should be contracted for, according to their rank, by the head or cover;—that the estimate and circumstance of the contract should be carried to the treasury to be approved; and that its faithful and satisfactory performance should be reported there, previous to any payment; that there, and there only, should the payment be made. I propose, that men should be contracted with only in their proper trade; and that no member of parliament should be capable of such contract. By this plan, almost all the infinite offices under the lord steward may be spared; to the extreme simplification, and to the far better execution, of every one of his functions. The king of Prussia is so served. He is a great and eminent (though indeed a very rare) instance of the possibility of uniting in a mind of vigour and compass, an attention to minute objects, with the largest views, and the most complicated plans. His tables are served by contract, and by the head. Let me say, that no prince can be ashamed to imitate the king of Prussia; and particularly to learn in his school, when the problem is—"The best manner of reconciling the state of a court with the support of war." Other courts, I understand, have followed him with effect, and to their satisfaction.

The same clue of principle leads us through the labyrinth of the other departments. What, sir, is there in the office of *the great wardrobe* (which has the care of the king's furniture) that may not be executed by the *lord chamberlain* himself. He has an honourable appointment; he has time sufficient to attend to the duty; and he has the vice chamberlain to assist him. Why should not he deal also by contract, for all things belonging to this office, and carry his estimates first, and his report of the execution in its proper time, for payment, directly to the board of treasury itself? By a sim-

ple operation (containing in it a treble control) the expences of a department, which for naked walls, or walls hung with cobwebs, has in a few years cost the crown 150,000l. may at length hope for regulation. But, sir, the office and its business are at variance. As it stands, it serves, not to furnish the palace with its hangings, but the parliament with its dependent members.

To what end, sir, does the office of *removing wardrobe* serve at all? Why should a *jewel office* exist for the sole purpose of taxing the king's gifts of plate? Why should an office of the *robes* exist, when that of *groom of the stole* is a sinecure, and that this is a proper object of his department?

All these incumbrances, which are themselves nuisances, produce other incumbrances, and other nuisances. For the payment of these useless establishments, there are no less than *three useless treasurers;* two to hold a purse, and one to play with a stick. The treasurer of the household is a mere name. The cofferer, and the treasurer of the chamber, receive and pay great sums, which it is not at all necessary they should either receive or pay. All the proper officers, servants, and tradesmen, may be enrolled in their several departments, and paid in proper classes and times, with great simplicity and order, at the exchequer, and by direction from the treasury.

The *board of works*, which in the seven years preceding 1777, has cost towards 400,000l.* and (if I recollect rightly) has not cost less in proportion from the beginning of the reign, is under the very same description of all the other ill contrived establishments, and calls for the very same reform. We are to seek for the visible signs of all this expence. For all this expence, we do not see a building of the size and importance of a pigeon-house. Buckingham-house was repaired by a bargain with the public, for one hundred thousand pounds;—

* More exactly, 378,616*l.* 10s. 1½d.

and the small house at Windsor has been, if I mistake not, undertaken since that account was brought before us. The good works of that board of works, are as carefully concealed, as other good works ought to be. They are perfectly invisible. But though it is the perfection of charity to be concealed, it is, sir, the property and glory of magnificence, to appear, and stand forward to the eye.

The *mint*, though not a department of the household, has the same vices. It is a great expence to the nation, chiefly for the sake of members of parliament. It has its officers of parade and dignity. It has its treasury too. It is a sort of coporate body; and formerly was a body of great importance; as much so, on the then scale of things, and the then order of business, as the bank is at this day. It was the great center of money transactions; and the remittances for our own, and for other nations; until king Charles the First, among other arbitrary projects, dictated by despotic necessity, made them withhold the money that lay there for remittance. That blow, (and happily too) the mint never recovered. Now it is no bank—no remittance shop. The mint, sir, is a *manufacture*, and it is nothing else; and it ought to be undertaken upon the principles of a manufacture; that is, for the best and cheapest execution, by a contract, upon proper securities, and under proper regulations.

The *artillery* is a far greater object; it is a military concern; but having an affinity and kindred in its defects with the establishments I am now speaking of, I think it best to speak of it along with them. It is, I conceive, an establishment not well suited to its martial, though exceedingly well calculated for its parliamentary purposes.—Here there is a *treasury*, as in all the other inferior departments of government. Here the military is subordinate to the civil, and the naval confounded with the land service. The object indeed is much the same in both. But when the detail is examined, it will be

found that they had better be separated. For a reform of this office, I propose to restore things to what (all considerations taken together) is their natural order; to restore them to their just proportion, and to their just distribution. I propose, in this military concern, to render the civil subordinate to the military; and this will annihilate the greatest part of the expence, and all the influence belonging to the office. I propose to send the military branch to the army, and the naval to the admiralty: and I intend to perfect and accomplish the whole detail (where it becomes too minute and complicated for legislature, and requires exact, official, military and mechanical knowledge,) by a commission of competent officers in both departments. I propose to execute by contract, what by contract can be executed, and to bring, as much as possible, all estimates to be previously approved, and finally to be paid by the treasury.

Thus, by following the course of nature, and not the purposes of politics, or the accumulated patchwork of occasional accommodation, this vast expensive department may be methodized; its service proportioned to its necessities; and its payments subjected to the inspection of the superior minister of finance: who is to judge of it on the result of the total collective exigencies of the state. This last is a reigning principle through my whole plan; and it is a principle which I hope may hereafter be applied to other plans.

By these regulations taken together—besides the three subordinate treasuries in the lesser principalities, five other subordinate treasuries are suppressed. All these arrangements together will be found to relieve the nation from a vast weight of influence, without distressing, but rather by forwarding every public service. When something of this kind is done, then the public may begin to breathe. Under other governments, a question of expence is only a question of economy, and it is nothing more; with us, in every question of expence,

there is always a mixture of constitutional considerations.

It is, sir, because I wish to keep this business of subordinate treasuries as much as I can together, that I brought the *ordinance-office* before you, though it is properly a military department. For the same reason I will now trouble you with my thoughts and propositions upon two of the greatest *under treasuries;* I mean, the office of *pay-master to the land forces,* or *treasurer of the army;* and that of the *treasurer of the navy.* The former of these has long been a great object of public suspicion and uneasiness. Envy too has had its share in the obloquy which is cast upon this office. But I am sure that it has no share at all in the reflections I shall make upon it, or in the reformations that I shall propose. I do not grudge to the honourable gentleman who at present holds the office, any of the effects of his talents, his merit, or his fortune. He is respectable in all these particulars. I follow the constitution of the office, without persecuting its holder. It is necessary, in all matters of public complaint, where men frequently feel right and argue wrong, to separate prejudice from reason; and to be very sure, in attempting the redress of a grievance, that we hit upon its real seat, and its true nature. Where there is an abuse in office, the first thing that occurs in heat is to censure the officer. Our natural disposition leads all our enquiries rather to persons than to things. But this prejudice is to be corrected by maturer thinking.

Sir, the profits of the *pay-office,* (as an office) are not too great, in my opinion, for its duties, and for the rank of the person who has generally held it. He has been generally a person of the highest rank; that is to say, a person of eminence and consideration in this house. The great and the invidious profits of the pay-office, are from the *bank* that is held in it. According to the present course of the office, and according to the present mode of accounting there, this bank must necessarily

exit somewhere. Money is a productive thing; and when the usual time of its demand can be tolerably calculated, it may, with prudence, be safely laid out to the profit of the holder. It is on this calculation, that the business of banking proceeds. But no profit can be derived from the use of money, which does not make it the interest of the holder to delay his account. The process of the exchequer colludes with this interest. Is this collusion from its want of rigour, and strictness, and great regularity of form? The reverse is true. They have in the exchequer brought rigour and formalism to their ultimate perfection. The process against accountants is so rigorous, and in a manner so unjust, that correctives must, from time to time, be applied to it. These correctives being discretionary, upon the case, and generally remitted by the barons to the lords of the treasury, as the best judges of the reasons for respite, hearings are had; delays are produced; and thus the extreme of rigour in office (as usual in all human affairs) leads to the extreme of laxity. What with the interested delay of the officer; the ill conceived exactness of the court; the applications for dispensations from that exactness; the revival of rigorous process, after the expiration of the time; and the new rigours producing new applications, and new enlargements of time, such delays happen in the public accounts, that they can scarcely ever be closed.

Besides, sir, they have a rule in the exchequer, which, I believe, they have founded upon a very ancient statute, that of the 51st of Henry III. by which is provided, "That when a sheriff or bailiff hath began his account, none other shall be received to account, until he that was first appointed hath clearly accounted, and that the sum has been received." Whether this clause of that statute be the ground of that absurd practice, I am not quite able to ascertain. But it has very generally prevailed, though I am told that of late they have began to relax from it. In consequence of forms adverse

to substantial account, we have a long succession of pay-masters and their representatives, who have never been admitted to account, although perfectly ready to do so.

As the extent of our wars has scattered the accountants under the pay-master into every part of the globe, the grand and sure pay-master, Death, in all his shapes, calls these accountants to another reckoning. Death, indeed, domineers over every thing, but the forms of the exchequer. Over these he has no power. They are impassive and immortal. The audit of the exchequer, more severe than the audit to which the accountants are gone, demands proofs which in the nature of things are difficult, sometimes impossible to be had. In this respect, too, rigour, as usual, defeats itself. Then the exchequer never gives a particular receipt, or clears a man of his account, as far as it goes. A final acquittance (or a *quietus*, as they term it) is scarcely ever to be obtained. Terrors and ghosts of unlaid accountants, haunt the houses of their children from generation to generation. Families, in the course of succession, fall into minorities; the inheritance comes into the hands of females; and very perplexed affairs are often delivered over into the hands of negligent guardians, and faithless stewards. So that the demand remains, when the advantage of the money is gone, if ever any advantage at all has been made of it. This is the cause of infinite distress to families; and becomes a source of influence to an extent, that can scarcely be imagined but by those who have taken some pains to trace it. The mildness of government in the employment of useless and dangerous powers, furnishes no reason for their continuance.

The treasurer of the navy is *mutatis mutandis*, in the same circumstances. Indeed all accountants are. Instead of the present mode, which is troublesome to the officer, and unprofitable to the public, I propose to substitute something more effectual than rigour, which is the worst exactor in the world. I mean to remove the

very temptations to delay; to facilitate the account; and to transfer this bank, now of private emolument, to the public. The crown will suffer no wrong at least from the pay offices; and its terrors will no longer reign over the families of those who hold or have held them. I propose, that these offices should be no longer *banks*, or *treasuries*, but mere *offices of administration*.—I propose, first, that the present pay-master, and the treasurer of the navy, should carry into the exchequer the whole body of the vouchers for what they have paid over to deputy pay-masters, to regimental agents, or to any of those to whom they have and ought to have paid money. I propose that those vouchers shall be admitted as actual payments in their accounts; and that the persons to whom the money has been paid, shall then stand charged in the exchequer in their place. After this process, they shall be debited or charged for nothing but the money-balance that remains in their hands.

For the regulation of past accounts, I shall therefore propose such a mode, as men, temperate and prudent, make use of in the management of their private affairs, when their accounts are various, perplexed, and of long standing. I would therefore, after their example, divide the public debts into three sorts—good, bad, and doubtful. In looking over the public accounts, I should never dream of the blind mode of the exchequer, which regards things in the abstract, and knows no difference in the quality of its debts, or the circumstances of its debtors. By this means, it fatigues itself; it vexes others; it often crushes the poor; it lets escape the rich; or in a fit of mercy or carelessness, declines all means of recovering its just demands. Content with the eternity of its claims, it enjoys its Epicurean divinity with Epicurean langour. But it is proper that all sorts of accounts should be closed some time or other—by payment, by composition, or by oblivion. *Expedit reipublicæ ut sit finis litium.* Constantly taking along with me, that an

extreme rigour is sure to arm every thing against it, and at length to relax into a supine neglect, I propose, sir, that even the best, soundest, and the most recent debts, should be put into instalments, for the mutual benefit of the accountant and the public.

In proportion, however, as I am tender of the past, I would be provident of the future. All money that was formerly imprested to the two great *pay-offices*, I would have imprested in future to the *Bank of England*. These offices should, in future, receive no more than cash sufficient for small payments. Their other payments ought to be made by drafts on the Bank, expressing the service. A cheque account from both offices, of drafts and receipts, should be annually made up in the exchequer, charging the bank, in account, with the cash-balance, but not demanding the payment until there is an order from the treasury, in consequence of a vote of parliament.

As I did not, sir, deny to the pay-master the natural profits of the bank that was in his hands, so neither would I to the bank of England. A share of that profit might be derived to the public in various ways. My favourite mode is this; that, in compensation for the use of this money, the bank may take upon themselves, first, *charge of the mint*; to which they are already, by their charter, obliged to bring in a great deal of bullion annually to be coined.

In the next place, I mean that they should take upon themselves the charge of *remittances to our troops abroad*. This is a species of dealing from which, by the same charter, they are not debarred. One and a quarter *per cent.* will be saved instantly thereby to the public, on very large sums of money. This will be at once a matter of economy, and a considerable reduction of influence, by taking away a private contract of an expensive nature. If the bank, which is a great corporation, and of course receives the least profits from the money in their custody, should of itself refuse, or be persuaded to refuse, this offer, upon those terms, I can

speak with some confidence, that one at least, if not both parts of the condition would be received, and gratefully received, by several bankers of eminence. There is no banker who will not be at least as good security as any pay-master of the forces, or any treasurer of the navy, that have ever been bankers to the public : as rich at least as my lord Chatham, or my lord Holland, or either of the honourable gentlemen who now hold the offices were, at the time that they entered into them ; or as ever the whole establishment of the *mint* has been at any period.

These, sir, are the outlines of the plan I mean to follow, in suppressing these two large subordinate treasuries. I now come to another subordinate treasury ; I mean, that of the *pay-master of the pensions ;* for which purpose I re-enter the limits of the civil establishment ; I departed from those limits in pursuit of a principle ; and following the same game in its doubles, I am brought into those limits again. That treasury, and that office, I mean to take away ; and to transfer the payment of every name, mode, and denomination of pensions, to the exchequer. The present course of diversifying the same object, can answer no good purpose ; whatever its use may be to purposes of another kind. There are also other lists of pensions ; and I mean that they should all be hereafter paid at one and the same place. The whole of that new consolidated list, I mean to reduce to 60,000l. a year, which sum I intend it shall never exceed. I think that sum will fully answer as a reward to all real merit, and a provision for all real public charity that is ever like to be placed upon the list. If any merit, of an extraordinary nature should emerge, before that reduction is completed, I have left it open for an address of either house of parliament to provide for the case. To all other demands, it must be answered, with regret, but with firmness, " the public is poor."

I do not propose to take away any pension. I know that the public seem to call for a reduction of such of

them as shall appear unmerited. As a censorial act, and punishment of an abuse, it might answer some purpose. But this can make no part of *my* plan. I mean to proceed by bill; and I cannot stop for such an enquiry. I know some gentlemen may blame me. It is with great submission to better judgments, that I recommend it to consideration; that a critical retrospective examination of the pension list, upon the principle of merit, can never serve for my basis. It cannot answer, according to my plan, any effectual purpose of economy, or of future permanent reformation. The process, in any way, will be entangled and difficult; and it will be infinitely slow: there is a danger that if we turn our line of march, now directed towards the grand object, into this more laborious than useful detail of operations, we shall never arrive at our end.

The king, sir, has been, by the constitution, appointed sole judge of the merit for which a pension is to be given. We have a right, undoubtedly, to canvass this, as we have to canvass every act of government. But there is a material difference between an office to be reformed, and a pension taken away for demerit. In the former case, no charges is implied against the holder; in the latter, his character is slurred, as well as his lawful emolument affected. The former process is against the thing; the second against the person. The pensioner certainly, if he pleases, has a right to stand on his own defence; to plead his possession; and to bottom his title in the competency of the crown to give him what he holds. Possessed, and on the defensive as he is, he will not be obliged to prove his special merit, in order to justify the act of legal discretion, now turned into his property, according to his tenure. The very act, he will contend, is a legal presumption, and an implication of his merit. If this be so (from the natural force of all legal presumption) he would put us to the difficult proof, that he has no merit at all. But other questions would arise in the course of such an enquiry; that is, questions

of the merit when weighed against the proportion of the reward; then the difficulty will be much greater.

The difficulty will not, sir, I am afraid, be much less, if we pass to the person really guilty, in the question of an unmerited pension; the minister himself. I admit, that when called to account for the execution of a trust, he might fairly be obliged to prove the affirmative, and to state the merit for which the pension is given; though on the pensioner himself, such a process would be hard. If in this examination we proceed methodically, and so as to avoid all suspicion of partiality and prejudice, we must take the pensions in order of time, or merely alphabetically. The very first pension to which we come, in either of these ways, may appear the most grossly unmerited of any. But the minister may very possibly shew, that he knows nothing of the putting on this pension; that it was prior in time to his administration; that the minister who laid it on is dead; and then we are thrown back upon the pensioner himself, and plunged into all our former difficulties. Abuses, and gross ones, I doubt not, would appear; and to the correction of which I would readily give my hand; but when I consider that pensions have not generally been affected by the revolutions of ministry; as I know not where such enquiries would stop; and as an absence of merit is a negative and loose thing, one might be led to derange the order of families, founded on the probable continuance of their kind of income. I might hurt children; I might injure creditors. I really think it the more prudent course, not to follow the letter of the petitions. If we fix this mode of enquiry as a basis, we shall, I fear, end, as parliament has often ended, under similar circumstances. There will be great delay; much confusion; much inequality in our proceedings. But what presses me most of all is this; that though we should strike off all the unmerited pensions, while the power of the crown remains unlimited, the very same undeserving persons might afterwards return to the very same list;

or if they did not, other persons, meriting as little as they do, might be put upon it to an undefinable amount. This I think is the pinch of the grievance.

For these reasons, sir, I am obliged to wave this mode of proceeding as any part of my plan. In a plan of reformation, it would be one of my maxims, that when I know of an establishment which may be subservient to useful purposes, and which at the same time, from its discretionary nature, is liable to a very great perversion from those purposes, *I would limit the quantity of the power that might be so abused.* For I am sure, that in all such cases, the rewards of merit will have very narrow bounds; and that partial or corrupt favour will be infinite. This principle is not arbitrary; but the limitation of the specific quantity must be so in some measure. I therefore state 60,000l. leaving it open to the house to enlarge or contract the sum as they shall see, on examination, that the discretion I use is scanty or liberal. The whole amount of the pensions of all denominations, which have been laid before us, amount, for a period of seven years, to considerably more than 100,000l. To what the other lists amount, I know not. That will be seen hereafter. But from those that do appear, a saving will accrue to the public, at one time or other, of 40,000l. a year, and we had better in my opinion to let it fall in naturally, than to tear it crude and unripe from the stalk.

There is a great deal of uneasiness among the people upon an article which I must class under the head of pensions. I mean the *great patent offices in the Exchequer.* They are in reality and substance no other than pensions, and in no other light shall I consider them. They are sinecures. They are always executed by deputy. The duty of the principal is as nothing. They differ however from the pensions on the list, in some particulars. They are held for life. I think with the public, that the profits of those places are grown enormous; the magnitude of those profits, and the nature of them, both call for reformation. The nature of

their profits, which grow out of the public distress, is itself invidious and grievous. But I fear that reform cannot be immediate. I find myself under a restriction. These places, and others of the same kind, which are held for life, have been considered as property. They have been given as a provision for children; they have been the subject of family settlements; they have been the security of creditors. What the law respects shall be sacred to me. If the barriers of law should be broken down, upon ideas of convenience, even of public convenience, we shall have no longer any thing certain among us. If the discretion of power is once let loose upon property, we can be at no loss to determine whose power, and what discretion it is that will prevail at last. It would be wise to attend upon the order of things; and not to attempt to outrun the slow, but smooth and even course of nature. There are occasions, I admit, of public necessity, so vast, so clear, so evident, that they supersede all laws. Law being only made for the benefit of the community, cannot in any one of its parts, resist a demand which may comprehend the total of the public interest. To be sure, no law can set itself up against the cause and reason of all law. But such a case very rarely happens; and this most certainly is not such a case. The mere time of the reform is by no means worth the sacrifice of a principle of law. Individuals pass like shadows; but the commonwealth is fixed and stable. The difference therefore of to-day and to-morrow, which to private people is immense, to the state is nothing. At any rate it is better, if possible, to reconcile our economy with our laws, than to set them at variance—a quarrel, which in the end must be destructive to both.

My idea, therefore, is to reduce those offices to fixed salaries, as the present lives and reversions shall successively fall. I mean, that the office of the great auditor (the auditor of the receipt) shall be reduced to 3,000l. a year; and the auditors of the imprest and the rest of the principal officers, to fixed appointments of

1,500l. a year each. It will not be difficult to calculate the value of this fall of lives to the public, when we shall have obtained a just account of the present income of those places; and we shall obtain that account with great facility, if the present possessors are not alarmed with any apprehension of danger to their freehold office.

I know too, that it will be demanded of me, how it comes, that since I admit these offices to be no better than pensions, I chose, after the principle of law had been satisfied, to retain them at all? To this, sir, I answer, that conceiving it to be a fundamental part of the constitution of this country, and of the reason of state in every country, that there must be means of rewarding public service, those means will be incomplete, and indeed wholly insufficient for that purpose, if there should be no further reward for that service, than the daily wages it receives during the pleasure of the crown.

Whoever seriously considers the excellent argument of lord Somer's in the banker's case, will see he bottoms himself upon the very same maxim which I do; and one of his principal grounds of doctrine for the alienability of the domain in England* contrary to the maxim of the law in France, he lays in the constitutional policy, of furnishing a permanent reward to public service; of making that reward the origin of families; and the foundation of wealth as well as of honours. It is indeed the only genuine unadulterated origin of nobility. It is a great principle in government; a principle at the very foundation of the whole structure. The other judges who held the same doctrine, went beyond lord Somers with regard to the remedy, which they thought was given by law against the crown, upon the grant of pensions. Indeed no man knows, when he cuts off the incitements to a virtuous ambition, and the just rewards of public service, what infinite mischief he may do his country, through all generations. Such saving to the

* Before the statute of Queen Anne, which limited the alienation of land.

public may prove the worst mode of robbing it. The crown, which has in its hands the trust of the daily pay for national service, ought to have in its hands also the means for the repose of public labour, and the fixed settlement of acknowledged merit. There is a time, when the weather-beaten vessels of the state ought to come into harbour. They must at length have a retreat from the malice of rivals, from the perfidy of political friends, and the inconstancy of the people. Many of the persons, who in all times have filled the great offices of state, have been younger brothers, who had originally little, if any fortune. These offices do not furnish the means of amassing wealth. There ought to be some power in the crown of granting pensions out of the reach of its own caprices. An intail of dependence is a bad reward of merit.

I would therefore leave to the crown the possibility of conferring some favours, which, whilst they are received as a reward, do not operate as corruption. When men receive obligations from the crown through the pious hands of fathers, or of connections as venerable as the paternal, the dependences which arise from thence, are the obligations of gratitude, and not the fetters of servility. Such ties originate in virtue, and they promote it. They continue men in those habitudes of friendship, those political connections, and those political principles in which they began life. They are antidotes against a corrupt levity, instead of causes of it. What an unseemly spectacle would it afford, what a disgrace would it be to the commonwealth that suffered such things, to see the hopeful son of a meritorious minister begging his bread at the door of that treasury, from whence his father dispensed the economy of an empire, and promoted the happiness and glory of his country! Why should he be obliged to prostrate his honour, and to submit his principles at the levee of some proud favourite, shouldered and thrust aside by every impudent pretender, on the very spot where a few days before he saw himself adored?

—obliged to cringe to the author of the calamities of his house, and to kiss the hands that are red with his father's blood?—No, sir,—these things are unfit—they are intolerable.

Sir, I shall be asked why I do not choose to destroy those offices which are pensions, and appoint pensions under the direct title in their stead? I allow, that in some cases it leads to abuse, to have things appointed for one purpose, and applied to another. I have no great objection to such a change: but I do not think it quite prudent for me to propose it. If I should take away the present establishment, the burthen of proof rests upon me, that so many pensions, and no more, and to such an amount each, and no more, are necessary for the public service. This is what I never can prove; for it is a thing incapable of definition. I do not like to take away an object that I think answers my purpose, in hopes of getting it back again in a better shape. People will bear an old establishment when its excess is corrected, who will revolt at a new one. I do not think these office-pensions to be more in number than sufficient: but on that point the house will exercise its discretion. As to abuse, I am convinced, that very few trusts in the ordinary course of administration, have admitted less abuse than this. Efficient ministers have been their own pay-masters. It is true. But their very partiality has operated as a kind of justice; and still it was service that was paid. When we look over this exchequer list, we find it filled with the descendants of the Walpoles, of the Pelhams, of the Townshends; names to whom this country owes it liberties, and to whom his majesty owes his crown. It was in one of these lines, that the immense and envied employment he now holds, came to a certain duke,* who is now probably sitting quietly at a very good dinner directly under us; and act-

* Duke of Newcastle, whose dining-room is under the House of Commons.

ing *high life below stairs*, whilst we, his masters, are filling our mouths with unsubstantial sounds, and talking of hungry economy over his head. But he is the elder branch of an ancient and decayed house, joined to, and repaired by the reward of services done by another. I respect the original title, and the first purchase of merited wealth and honour, through all its descents, through all its transfers, and all its assignments. May such fountains never be dried up! May they ever flow with their original purity, and refresh and fructify the commonwealth, for ages!

Sir, I think myself bound to give you my reasons as clearly, and as fully, for stopping in the course of reformation, as for proceeding in it. My limits are the rules of law; the rules of policy; and the service of the state. This is the reason why I am not able to intermeddle with another article, which seems to be a specific object in several of the petitions; I mean the reduction of exorbitant emoluments to efficient offices. If I knew of any real efficient office, which did possess exhorbitant emoluments, I should be extremely desirous of reducing them. Others may know of them. I do not. I am not possessed of an exact common measure between real service and its reward. I am very sure, that states do sometimes receive services, which it is hardly in their power to reward according to their worth. If I were to give my judgment with regard to this country, I do not think the great efficient offices of the state to be overpaid. The service of the public is a thing which cannot be put to auction, and struck down to those who will agree to execute it the cheapest. When the proportion between reward and service is our object, we must always consider of what nature the service is, and what sort of men they are that must perform it. What is just payment for one kind of labour, and full encouragement for one kind of talents, is fraud and discouragement to others. Many of the great offices have much duty to do, and much expence of representation to

maintain. A secretary of state, for instance, must not appear sordid in the eyes of the ministers of other nations; neither ought our ministers abroad to appear contemptible in the courts where they reside. In all offices of duty, there is, almost necessarily, a great neglect of all domestic affairs. A person in high office can rarely take a view of his family house. If he sees that the state takes no detriment, the state must see that his affairs should take as little.

I will even go so far as to affirm, that if men were willing to serve in such situations without salary, they ought not be permitted to do it. Ordinary service must be secured by the motives to ordinary integrity. I do not hesitate to say that that state which lays its foundation in rare and heroic virtues, will be sure to have its superstructure in the basest profligacy and corruption. An honourable and fair profit is the best security against avarice and rapacity; as in all things else, a lawful and regulated enjoyment is the best security against debauchery and excess. For as wealth is power, so all power will infallibly draw wealth to itself by some means or other: and when men are left no way of ascertaining their profits but by their means of obtaining them, those means will be increased to infinity. This is true in all the parts of administration, as well as in the whole. If any individual were to decline his appointments, it might give an unfair advantage to ostentatious ambition over unpretending service; it might breed invidious comparisons; it might tend to destroy whatever unity and agreement may be found among ministers. And after all, when an ambitious man had run down his competitors by a fallacious shew of disinterestedness, and fixed himself in power by that means, what security is there that he would not change his course, and claim as an indemnity ten times more than he has given up?

It may be expected, sir, that when I am giving my reasons why I limit myself in the reduction of employments, or of their profits, I should say something of those which seem of eminent inutility in the state; I mean

the number of officers who by their places are attendant on the person of the king. Considering the commonwealth merely as such, and considering those officers only as relative to the direct purposes of the state, I admit that they are of no use at all. But there are many things in the constitution of establishments, which appear of little value on the first view, which in a secondary and oblique manner, produce very material advantages. It was on full consideration that I determined not to lessen any of the offices of honour about the crown, in their number or their emoluments. These emoluments, except in one or two cases, do not much more than answer the charge of attendance. Men of condition naturally love to be about a court; and women of condition love it much more. But there is in all regular attendance, so much of constraint, that if it were a mere charge, without any compensation, you would soon have the court deserted by all the nobility of the kingdom.

Sir, the most serious mischiefs would follow from such a desertion. Kings are naturally lovers of low company. They are so elevated above all the rest of mankind, that they must look upon all their subjects as on a level. They are rather apt to hate than to love their nobility, on account of the occasional resistance to their will, which will be made by their virtue, their petulance, or their pride. It must indeed be admitted, that many of the nobility are as perfectly willing to act the part of flatterers, tale-bearers, parasites, pimps, and buffoons, as any of the lowest and vilest of mankind can possibly be. But they are not properly qualified for this object of their ambition. The want of a regular education, and early habits, and some lurking remains of their dignity, will never permit them to become a match for an Italian eunuch, a mountebank, a fidler, a player, or any regular practitioner of that tribe. The Roman emperors, almost from the beginning, threw themselves into such hands; and the mischief increased every day, till its decline, and its final ruin. It is therefore of very great importance (provided the thing is not overdone)

to contrive such an establishment as must, almost whether a prince will or not, bring into daily and hourly offices about his person, a great number of his first nobility, and it is rather an useful prejudice that gives them a pride in such a servitude. Though they are not much the better for a court, a court will be much the better for them. I have therefore not attempted to reform any of the offices of honour about the king's person.

There are, indeed, two offices in his stables which are sinecures. By the change of manners, and indeed by the nature of the thing, they must be so; I mean the several keepers of buck-hounds, stag-hounds, fox-hounds, and harriers. They answer no purpose of utility or of splendor. These I propose to abolish. It is not proper that great noblemen should be keepers of dogs, though they were the king's dogs. In every part of my scheme, I have endeavoured that no primary, and that even no secondary service of the state, should suffer by its frugality. I mean to touch no offices but such as I am perfectly sure, are either of no use at all, or not of any use in the least assignable proportion to the burthen with which they load the revenues of the kingdom, and to the influence with which they oppress the freedom of parliamentary deliberation; for which reason there are but two offices which are properly state offices, that I have a desire to reform.

The firts of them is the new office of *third secretary of state*, which is commonly called *secretary of state for the colonies*.

We know that all the correspondence of the colonies had been, until within a few years, carried on by the southern secretary of state; and that this department has not been shunned upon account of the weight of its duties; but on the contrary, much sought on account of its patronage. Indeed, he must be poorly acquainted with the history of office, who does not know how very lightly the American functions have always leaned on the shoulders of the ministerial *Atlas*, who has upheld that side of the sphere. Undoubtedly, great

temper and judgment were requisite in the management of the colony politics; but the official detail was a trifle. Since the new appointment, a train of unfortunate accidents has brought before us almost the whole correspondence of this favourite secretary's office, since the first day of its establishment. I will say nothing of its auspicious foundation; of the quality of its correspondence; or of the effects that have ensued from it. I speak merely of its *quantity;* which we know would have been little or no addition to the trouble of whatever office had its hands the fullest. But what has been the real condition of the old office of secretary of state? Have their velvet bags, and their red boxes, been so full, that nothing more could possibly be crammed in them?

A correspondence of a curious nature has been lately published.* In that correspondence, sir, we find the opinion of a noble person, who is thought to be the grand manufacturer of administrations; and therefore the best judge of the quality of his work. He was of opinion, that there was but one man of diligence and industry in the whole administration—it was the late earl of Suffolk. The noble lord lamented very justly, that this statesman, of so much mental vigour, was almost wholly disabled from the exertion of it, by his bodily infirmities. Lord Suffolk, dead to the state, long before he was dead to nature, at last paid his tribute to the common treasury to which we must all be taxed. But so little want was found even of his intentional industry, that the office, vacant in reality to its duties long before, continued vacant even in nomination and appointment for a year after his death. The whole of the laborious and arduous correspondence of this empire, rested solely upon the activity and energy of lord Weymouth.

It is therefore demonstrable, since one diligent man was fully equal to the duties of the two offices, that

* Letters between Dr. Addington and Sir James Wright.

two diligent men will be equal to the duty of three. The business of the new office which I shall propose to you to suppress, is by no means too much to be returned to either of the secretaries which remain. If this dust in the balance should be thought too heavy, it may be divided between them both; North America (whether free or reduced) to the northern secretary, the West Indies to the southern. It is not necessary that I should say more upon the inutility of this office. It is burning day light. But before I have done, I shall just remark that the history of this office is too recent to suffer us to forget, that it was made for the mere convenience of the arrangements of political intrigue, and not for the service of the state; that it was made, in order to give a colour to an exhorbitant increase of the civil list; and in the same act to bring a new accession to the loaded compost heap of corrupt influence.

There is, sir, another office, which was not long since closely connected with this of the American secretary; but has been lately separated from it for the very same purpose for which it had been conjoined; I mean, the sole purpose of all the separations and all the conjunctions that have been lately made—a jobb.—I speak sir, of the *board of trade and plantations*. This board is a sort of temperate bed of influence; a sort of gently ripening hot-house, where eight members of parliament receive salaries of a thousand a year, for a certain given time, in order to mature at a proper season, a claim to two thousand, granted for doing less, and on the credit of having toiled so long in that inferior laborious department.

I have known that board, off and on, for a great number of years. Both of its pretended objects have been much the objects of my study, if I have a right to call any pursuits of mine by so respectable a name. I can assure the house, and I hope they will not think that I risk my little credit lightly, that, without meaning to convey the least reflection upon any one of its

members past or present,—it is a board which, if not mischievous, is of no use at all.

You will be convinced, sir, that I am not mistaken, if you reflect how generally it is true, that commerce, the principal object of that office, flourishes most when it is left to itself. Interest, the great guide of commerce, is not a blind one. It is very well able to find its own way; and its necessities are its best laws. But if it were possible in the nature of things, that the young should direct the old, and the inexperienced instruct the knowing; if a board in the state was the best tutor for the counting house; if the desk ought to read lectures to the anvil, and the pen to usurp the place of the shuttle—yet in any matter of regulation, we know that board must act with as little authority as skill. The prerogative of the crown is utterly inadequate to its object; because all regulations are, in their nature, restrictive of some liberty. In the reign indeed of Charles the First, the council, or committees of council, were never a moment unoccupied with affairs of trade. But even where they had no ill intention, (which was sometimes the case) trade and manufacture suffered infinitely from their injudicious tampering. But since that period, whenever regulation is wanting,) for I do not deny, that sometimes it may be wanting) parliament constantly sits; and parliament alone is competent to such regulation. We want no instruction from boards of trade, or from any other board; and God forbid we should give the least attention to their reports. Parliamentary enquiry is the only mode of obtaining parliamentary information. There is more real knowledge to be obtained, by attending the detail of business in the committees above stairs, than ever did come, or ever will come from any board in this kingdom, or from all of them together. An assiduous member of parliament will not be the worse instructed there for not being paid a thousand a year for learning his lesson. And now that I speak of the committees above stairs, I must say, that

having till lately attended them a good deal, I have observed that no description of members give so little attendance, either to communicate, or to obtain instruction upon matters of commerce, as the honourable members of the grave board of trade. I really do not recollect, that I have ever seen one of them in that sort of business. Possibly, some members may have better memories; and may call to mind some jobb that may have accidentally brought one or other of them, at one time or other, to attend a matter of commerce.

If ever there were commercial points of great weight, and most closely connected with our dependencies, they are those which have been agitated and decided in parliament since I came into it. Which of the innumerable regulations since made had their origin or their improvement in the board of trade? Did any of the several East India bills which have been successively produced since 1767, originate there? Did any one dream of referring them, or any part of them thither? Was any body so ridiculous as even to think of it? If ever there was an occasion on which the board was fit to be consulted, it was with regard to the acts that were preludes to the American war, or attendant on its commencement: those acts were full of commercial regulations, such as they were;—he intercourse bill; the prohibitory bill; the fishery bill. If the board was not concerned in such things, in what particular was it thought fit that it should be concerned? In the course of all these bills through the house, I observed the members of that board to be remarkably cautious of intermeddling. They understood decorum better; they know that matters of trade and plantation are no business of theirs.

It was but the other day, that the noble lord in the blue ribbon carried up to the house of peers, two acts, altering, in a great degree, our whole commercial system. Those acts, I mean, for giving a free trade to Ireland in woollens and in all things else, with independent nations, and giving them an equal trade to our own co-

lonies. Here too the novelty of this great, but arduous and critical improvement of system would make you conceive that the anxious solicitude of the noble lord in the blue ribbon, would have wholly destroyed the plan of summer recreation of that board, by references to examine, compare, and digest matters for parliament—You would imagine, that Irish commissioners of customs, and English commissioners of customs, and commissioners of excise, that merchants and manufacturers of every denomination, had daily crowded their outer rooms. *Nil horum.* The perpetual virtual adjournment, and the unbroken sitting vacation of that board, was no more disturbed by the Irish than by the plantation commerce, or any other commerce. The same matter made a large part of the business which occupied the house for two sessions before; and as our ministers were not then mellowed by the mild, emollient, and engaging blandishments of our dear sister, into all the tenderness of unqualified surrender, the bounds and limits of a restrained benefit naturally required much detailed management and positive regulation. But neither the qualified propositions which were received, nor those other qualified propositions which were rejected by ministers, were the least concern of theirs, nor were they ever thought of in the business.

It is therefore, sir, on the opinion of parliament, on the opinion of the ministers, and even on their own opinion of their inutility, that I shall propose to you to suppress the board of trade and plantations; and to recommit all its business to the council from whence it was improvidently taken; and which business (whatever it might be) was much better done, and without any expence; and indeed where in effect it may all come at last. Almost all that deserves the name of business there, is the reference of the plantation acts to the opinion of gentlemen of the law. But all this may be done, as the Irish business of the same nature has always been done, by the council, and with a reference to the attorney and solicitor general.

There are some regulations in the household, relative to the officers of the yoemen of the guards, and the officers and band of gentlemen pensioners, which I shall likewise submit to your consideration, for the purpose of regulating establishments, which at present are much abused.

I have now finished all, that for the present I shall trouble you with on the plan of reduction. I mean next to propose to you the plan of arrangement, by the which I mean to appropriate and fix the civil list money to its several services, according to their nature; for I am thoroughly sensible, that if a discretion, wholly arbitrary, can be exercised over the civil list revenue, although the most effectual methods may be taken to prevent the inferior departments from exceeding their bounds, the plan of reformation will still be left very imperfect It will not, in my opinion, be safe to permit an entirely arbitrary discretion, even in the first lord of the treasury himself: It will not be safe to leave with him a power of diverting the public money from its proper objects, of paying it in an irregular course, or of inverting perhaps the order of time, dictated by the proportion of value, which ought to regulate his application of payment to service.

I am sensible, too, that the very operation of a plan of economy which tends to exonerate the civil list of expensive establishments, may in some sort defeat the capital end we have in view—the independence of parliament; and that in removing the public and ostensible means of influence, we may increase the fund of private corruption. I have thought of some methods to prevent an abuse of surplus cash under discretionary application; I mean the heads of *secret service*, *special service*, *various payments*, and the like; which, I hope, will answer, and which in due time I shall lay before you. Where I am unable to limit the quantity of the sums to be applied, by reason of the uncertain quantity of the service, I endeavour to confine it to its *line*; to secure an

indefinite application to the definite service to which it belongs; not to stop the progress of expence in its line, but to confine it to that line in which it professes to move.

But that part of my plan, sir, upon which I principally rest, that on which I rely for the purpose of binding up and securing the whole, is to establish a fixed and invariable order in all its payments, which it shall not be permitted to the first lord of the treasury, upon any pretence whatsoever, to depart from. I therefore divide the civil list payments into *nine* classes, putting each class forward according to the importance or justice of the demand, and to the inability of the persons entitled to enforce their pretensions; that is, to put those first who have the most efficient offices, or claim the justest debts; and, at the same time, from the character of that description of men, from the retiredness, or the remoteness of their situation, or from their want of weight and power to enforce their pretensions, or from their being entirely subject to the power of a minister, without any reciprocal power of awing him, ought to be the most considered, and are the most likely to be neglected; all these I place in the highest classes: I place in the lowest those whose functions are of the least importance, but whose persons or rank are often of the greatest power and influence.

In the first class I place the *judges*, as of the first importance. They ought to be as *weak solicitors on their own demands*, as strenuous assertors of the rights and liberties of others. The judges are, or ought to be, of a *reserved* and retired character, and wholly unconnected with the political world.

In the second class I place foreign ministers. They are not upon the spot to demand payment, and are therefore the most likely to be, as in fact they have sometimes been, entirely neglected, to the great disgrace, and perhaps the great detriment of the nation.

In the third class I would bring all the tradesmen who supply the crown by contract, or otherwise.

In the fourth class I place all the domestic servants of the king, and all persons in efficient offices, whose salaries do not exceed two hundred pounds a year.

In the fifth, upon account of honour, which ought to give place to nothing but charity and rigid justice, I would place the pensions and allowances of his majesty's royal family, comprehending of course the queen, together with the stated allowance of the privy purse.

In the sixth class, I place those efficient officers of duty, whose salaries may exceed the sum of two hundred pounds a year.

In the seventh class, that mixed mass, the whole pension list.

In the eighth, the offices of honour about the king.

In the ninth, and the last of all, the salaries and pensions of the first lord of the treasury himself, the chancellor of the exchequer, and the other commissioners of the treasury.

If by any possible mismanagement of that part of the revenue which is left at discretion, or by any other mode of prodigality, cash should be deficient for the payment of the lowest classes, I propose that the amount of those salaries where the deficiency may happen to fall, shall not be carried as a debt to the account of the succeeding year, but that it shall be entirely lapsed, sunk, and lost; so that government will be enabled to start in the race of every new year, wholly unloaded, fresh in wind and in vigour. Hereafter, no civil list debt can ever come upon the public. And those who do not consider this as saving, because it is not a certain sum, do not ground their calculations of the future on their experience of the past.

I know of no mode of preserving the effectual execution of any duty, but to make it the direct interest of the executive officer that it shall be faithfully performed. Assuming, then, that the present vast allowance to the civil list is perfectly adequate to all its purposes, if there should be any failure, it must be from the mismanage-

ment or neglect of the first commissioner of the treasury; since, upon the proposed plan, there can be no expence of any consequence, which he is not himself previously to authorize and finally to control. It is therefore just, as well as politic, that the loss should attach upon the delinquency.

If the failure from the delinquency should be very considerable, it will fall on the class directly above the first lord of the treasury, as well as upon himself and his board. It will fall, as it ought to fall, upon offices of no primary importance in the state; but then it will fall upon persons, whom it will be a matter of no slight importance for a minister to provoke—it will fall upon persons of the first rank and consequence in the kingdom; upon those who are nearest to the king, and frequently have a more interior credit with him than the minister himself. It will fall upon masters of the horse, upon lord chamberlains, upon lord stewards, upon grooms of the stole, and lords of the bedchamber. The household troops form an army, who will be ready to mutiny for want of pay, and whose mutiny will be *really* dreadful to a commander in chief. A rebellion of the thirteen lords of the bedchamber would be far more terrible to a minister, and would probably affect his power more to the quick, than a revolt of thirteen colonies. What an uproar such an event would create at court! What *petitions* and *committees*, and *associations* would it not produce! Bless me! what a clattering of white sticks and yellow sticks would be about his head—what a storm of gold keys would fly about the ears of the minister—what a shower of Georges, and Thistles, and medals, and collars of S. S. would assail him at his first entrance into the antichamber, after an insolvent Christmas quarter! A tumult which could not be appeased by all the harmony of the new-year's ode. Rebellion it is certain there would be; and rebellion may not now indeed be so critical an event to those who engage in it, since its price is so cor-

rectly ascertained;—ascertained at just a thousand pounds.

Sir, this classing, in my opinion, is a serious and solid security for the performance of a minister's duty. Lord Coke says, that the staff was put into the treasurer's hand, to enable him to support himself when there was no money in the exchequer, and to beat away importunate solicitors. The method which I propose, would hinder him from the necessity of such a broken staff to lean on, or such a miserable weapon for repulsing the demands of worthless suitors, who, the noble lord in the blue ribbon knows, will bear many hard blows on the head, and many other indignities, before they are driven from the treasury. In this plan he is furnished with an answer to all their importunity; an answer far more conclusive than if he had knocked them down with his staff—"Sir, (or my Lord,) you are calling for my own salary—Sir, you are calling for the appointments of my colleagues who sit about me in office—Sir, you are going to excite a mutiny at court against me—you are going to estrange his majesty's confidence from me, through the chamberlain, or the master of the horse, or the groom of the stole."

As things now stand, every man, in proportion to his consequence at court, tends to add to the expences of the civil list, by all manner of jobbs, if not for himself, yet for his dependents. When the new plan is established, those who are now suitors for jobbs, will become the most strenuous opposers of them. They will have a common interest with the minister in public economy. Every class, as it stands low, will become security for the payment of the preceding class; and thus the persons whose insignificant services defraud those that are useful, would then become interested in their payment. Then the powerful, instead of oppressing, would be obliged to support the weak; and idleness would become concerned in the reward of industry. The whole fabric of the civil economy would become compact and

connected in all its parts ; it would be formed into a well organized body, where every member contributes to the support of the whole ; and where even the lazy stomach secures the vigour of the active arm.

This plan, I really flatter myself, is laid, not in official formality, nor in airy speculation, but in real life, and in human nature ; in what "comes home (as Bacon says) to the business and bosoms of men." You have now, sir, before you, the whole of my scheme, as far as I have digested it into a form, that might be in any respect worthy of your consideration.—I intend to lay it before you in five bills. The plan consists, indeed, of many parts ; but they stand upon a few plain principles. It is a plan which takes nothing from the civil list without discharging it of a burthen equal to the sum carried to the public service. It weakens no one function necessary to government ; but on the contrary, by appropriating supply to service, it gives it greater vigour. It provides the means of order and foresight to a minister of finance, which may always keep all the objects of his office, and their state, condition, and relations, distinctly before him. It brings forward accounts without hurrying and distressing the accountants : whilst it provides for public convenience, it regards private rights. It extinguishes secret corruption almost to the possibility of its existence. It destroys direct and visible influence equal to the offices of at least fifty members of parliament. Lastly, it prevents the provision for his majesty's children, from being diverted to the political purposes of his minister.

These are the points, on which I rely for the merit of the plan : I pursue economy in a secondary view, and only as it is connected with these great objects. I am persuaded, that even for supply, this scheme will be far from unfruitful, if it be executed to the extent I propose. I think it will give to the public, at its periods, two or three hundred thousand pounds a year ; if not, it will give them a system of economy, which is itself a great revenue. It gives me no little pride and satisfaction,

to find that the principles of my proceedings are, in many respects, the very same with those which are now pursued in the plans of the French minister of finance. I am sure, that I lay before you a scheme easy and practicable in all its parts. I know it is common at once to applaud and to reject all attempts of this nature. I know it is common for men to say, that such and such things are perfectly right—very desirable; but that, unfortunately, they are not practicable. Oh! no, sir, no. Those things which are not practicable, are not desirable. There is nothing in the world really beneficial, that does not lie within the reach of an informed understanding, and a well directed pursuit. There is nothing that God has judged good for us, that he has not given us the means to accomplish, both in the natural and moral world. If we cry, like children for the moon, like children we must cry on.

We must follow the nature of our affairs, and conform ourselves to our situation. If we do, our objects are plain and compassable. Why should we resolve to do nothing, because what I propose to you may not be the exact demand of the petition; when we are far from resolved to comply even with what evidently is so? Does this sort of chicanery become us? The people are the masters. They have only to express their wants at large and in gross. We are the expert artists; we are the skilful workmen, to shape their desires into perfect form, and to fit the utensil to the use. They are the sufferers, they tell the symptoms of the complaint; but we know the exact seat of the disease, and how to apply the remedy, according to the rules of art. How shocking would it be to see us pervert our skill into a sinister and servile dexterity, for the purpose of evading our duty, and defrauding our employers, who are our natural lords, of the object of their just expectations. I think the whole not only practicable, but practicable in a very short time. If we are in earnest about it, and if we exert that industry, and those talents in forward-

ing the work, which I am afraid may be exerted in impeding it—I engage, that the whole may be put in complete execution within a year. For my own part, I have very little to recommend me for this or for any task, but a kind of earnest and anxious perseverance of mind, which with all its good and all its evil effects, is moulded in my constitution. I faithfully engage to the house, if they choose to appoint me to any part in the execution of this work, which (when they have made it theirs by the improvements of their wisdom, will be worthy of the able assistance they may give me) that by night and by day, in town or in country, at the desk or in the forest, I will, without regard to convenience, ease, or pleasure, devote myself to their service, not expecting or admitting any reward whatsoever. I owe to this country my labour, which is my all; and I owe to it ten times more industry, if ten times more I could exert. After all, I shall be an unprofitable servant.

At the same time, if I am able, and if I shall be permitted, I will lend an humble helping hand to any other good work which is going on. I have not, sir, the frantic presumption to suppose, that this plan contains in it the whole of what the public has a right to expect, in the great work of reformation they call for. Indeed, it falls infinitely short of it. It falls short, even of my own ideas. I have some thoughts not yet fully ripened, relative to a reform in the customs and excise, as well as in some other branches of financial administration. There are other things, too, which form essential parts in a great plan for the purpose of restoring the independence of parliament. The contractors' bill of last year it is fit to revive; and I rejoice that it is in better hands than mine. The bill for suspending the votes of custom-house officers, brought into parliament several years ago, by one of our worthiest and wisest members,* (would to God we could along with the

* W. Dowdeswell, Esq. chancellor of the exchequer, 1765.

plan revive the person who proposed it !) But a man of very real integrity, honour, and ability, will be found to take his place, and to carry his idea into full execution. You all see how necessary it is to review our military expences for some years past, and, if possible, to bind up and close that bleeding artery of profusion: but that business also, I have reason to hope, will be undertaken by abilities that are fully adequate to it. Something must be devised (if possible) to check the ruinous expence of elections.

Sir, all or most of these things must be done. Every one must take his part.

If we should be able by dexterity or power, or intrigue, to disappoint the expectation of our constituents, what will it avail us? we shall never be strong or artful enough to parry, or to put by the irresistible demands of our situation. That situation calls upon us, and upon our constituents too, with a voice which *will* be heard I am sure no man is more zealously attached than I am to the privileges of this house, particularly in regard to the exclusive management of money. The lords have no right to the disposition, in any sense, of the public purse; but they have gone further in * self-denial than our utmost jealousy could have required. A power of examining accounts, to censure, correct, and punish, we never, that I know, have thought of denying to the house of lords. It is something more than a century since we voted that body useless: they have now voted themselves so. The whole hope of reformation is at length cast upon *us*; and let us not deceive the nation, which does us the honour to hope every thing from our virtue. If *all* the nation are not equally forward to press this duty upon us, yet be assured, that they all equally expect we should perform it. The respectful silence of those who wait upon your pleasure,

* In the debate on the rejection of Lord Shelburne's motion in the house of lords.

ought to be as powerful with you as the call of those who require your service as their right. Some, without doors, affect to feel hurt for your dignity, because they suppose, that menaces are held out to you. Justify their good opinion, by shewing that no menaces are necessary to stimulate you to your duty. But, sir, whilst we may sympathize with them, in one point, who sympathize with us in another, we ought to attend no less to those who approach us like men, and who, in the guise of petitioners, speak to us in the tone of a concealed authority. It is not wise to force them to speak out more plainly, what they plainly mean. But, the petitioners are violent. Be it so. Those who are least anxious about your conduct, are not those that love you most. Moderate affection and satiated enjoyment, are cold and respectful; but an ardent and injured passion, is tempered up with wrath, and grief, and shame, and conscious worth, and the maddening sense of violated right. A jealous love lights his torch from the firebrands of the furies.—They who call upon you to belong *wholly* to the people, are those who wish you to return to your *proper* home; to the sphere of your duty, to the post of your honour, to the mansion-house of all genuine, serene, and solid satisfaction. We have furnished to the people of England (indeed we have) some real cause of jealousy. Let us leave that sort of company which, if it does not destroy our innocence, pollutes our honour: let us free ourselves at once from every thing that can increase their suspicions, and enflame their just resentment; let us cast away from us, with a generous scorn, all the love-tokens and symbols that we have been vain and light enough to accept;—all the bracelets, and snuff-boxes, and miniature pictures, and hair-devices, and all the other adulterous trinkets, that are the pledges of our alienation, and the monuments of our shame. Let us return to our legitimate home, and all jars and all quarrels will be lost in embraces. Let the commons in parliament assemble, be one and the same thing with

the commons at large. The distinctions that are made to separate us, are unnatural and wicked contrivances. Let us identify, let us incorporate ourselves with the people. Let us cut all the cables and snap the chains which tie us to an unfaithful shore, and enter the friendly harbour, that shoots far out into the main its moles and jettees to receive us.—"War with the world, and peace with our constituents." Be this our motto and our principle. Then, indeed, we shall be truly great. Respecting ourselves, we shall be respected by the world. At present all is trouble and cloudy, and distracted, and full of anger and turbulence, both abroad and at home: but the air may be cleared by this storm, and light and fertility may follow it. Let us give a faithful pledge to the people, that we honour, indeed, the crown; but that we *belong* to them; that we are their auxiliaries, and not their task-masters; the fellow labourers in the same vineyard; not lording over their rights, but helpers of their joy: that to tax them is a grievance to ourselves, but to cut off from our enjoyments to forward theirs, is the highest gratification we are capable of receiving. I feel with comfort, that we are all warmed with these sentiments, and while we are thus warm, I wish we may go directly and with a chearful heart to this salutary work.

Extracts from his Speech on American Taxation.

Character of Mr. Grenville.

Here began to dawn the first glimmerings of this new colony system. It appeared more distinctly afterwards, when it was devolved upon a person, to whom on other accounts this country owes very great obligations. I do believe that he had a very serious desire to benefit the public. But with no small study of the detail, he did not seem to have his view, at least equally, carried to the total circuit of our affairs. He generally considered his objects in lights that were rather too detached. No man can believe, that at this time of day I mean to lean on the venerable memory of a great man, whose loss we deplore in common. Our little party differences have been long ago composed; and I have acted more with him, and certainly with more pleasure with him, than ever I acted against him. Undoubtedly Mr. Grenville was a first-rate figure in this country. With a masculine understanding, and a stout and resolute heart, he had an application undissipated and unwearied. He took public business, not as a duty which he was to fulfil, but as a pleasure he was to enjoy: and he seemed to have no delight out of this house, except in such things as some way related to the business that was to be done in it. If he was ambitious, I will say this for him, his ambition was a noble and generous strain. It was to raise himself, not by the low pimping politics of a court, but to win his way to power, through the laborious gradations of public service; and to secure to himself a well-earned rank in parliament by a thorough knowledge of its constitution, and a perfect practice in all its business.

Sir, if such a man fell into errors, it must be from defects not intrinsical: they must be rather sought in

the particular habits of his life; which, though they do not alter the ground-work of character, yet tinge it with their own hue. He was bred in a profession. He was bred to the law, which is, in my opinion, one of the first and noblest of human sciences; a science, which does more to quicken and invigorate the understanding, than all other kinds of human learning put together: but it is not apt, except in persons very happily born, to open and liberalize the mind exactly in the same proportion. Passing from that study, he did not go very largely into the world, but plunged into business; I mean into the business of office, and the limited and fixed methods and forms established there. Much knowledge is undoubtedly to be had in that line; and there is no knowledge which is not valuable. But it may be truly said, that men too much conversant in office, are rarely minds of remarkable enlargement. Their habits are apt to give them a turn to think the substance of business not to be much more important than the forms in which it is conducted. These forms are adapted to ordinary occasions; and therefore persons who are nurtured in office do admirably well, as long as things go on in their common order; but when the high roads are broken up, and the waters out, when a new and troubled scene is opened, and the file affords no precedent, then it is that a far greater knowledge of mankind, and a more extensive comprehension of things, is requisite than ever office gave, or than office can ever give. Mr. Grenville thought better of the wisdom and power of legislation than in truth it deserves. He conceived, and many conceived along with him, that the flourishing trade of this country was greatly owing to law and institution, and not quite so much to liberty; for but too many are apt to believe regulation to be commerce, and taxes to be revenue, &c.

Characters of Lord Chatham and Mr. C. Townshend.

From the same.

I have done with the third period of your policy; the return to your ancient system, and your ancient tranquillity and concord. Sir, this period was not as long as it was happy. Another scene was opened, and other actors appeared on the stage. The state, in the condition I have decribed it, was delivered into the hands of lord Chatham—a great and celebrated name; a name that keeps the name of this country respectable in every other on the globe. It may be truly called,

Clarum et venerabile nomen
Gentibus, et multum nostræ quod proderat urbi.

Sir, the venerable age of this great man, his merited rank, his superior eloquence, his splendid qualities, his eminent services, the vast space he fills in the eye of mankind; and more than all the rest, his fall from power, which, like death, canonizes and sanctifies a great character, will not suffer me to censure any part of his conduct. I am afraid to flatter him; I am sure I am not disposed to blame him. Let those who have betrayed him by their adulation, insult him with their malevolence. But what I do not presume to censure, I may have leave to lament. For a wise man, he seemed to me at that time to be governed too much by general maxims. I speak with the freedom of history, and I hope without offence. One or two of these maxims, flowing from an opinion not the most indulgent to our unhappy species, and surely a little too general, led him into measures that were greatly mischievous to himself: and for that reason among others, perhaps fatal to his country; measures, the effects of which I am afraid, are for ever

incurable. He made an administration, so checkered and speckled; he put together a piece of joinery, so crossly indented and whimsically dovetailed; a cabinet so variously inlaid; such a piece of diversified mosaic; such a tesselated pavement without cement, here a bit of black stone and there a bit of white; patriots and courtiers, king's friends and republicans; whigs and tories; treacherous friends and open enemies; that it was indeed a very curious show; but utterly unsafe to touch and unsure to stand on.

In consequence of this arrangement, the confusion was such that his own principles could not possibly have any effect or influence in the conduct of affairs. If ever he fell into a fit of the gout, or if any other cause withdrew him from public cares, principles directly contrary were sure to predominate. When he had executed his plan, he had not an inch of ground to stand on; when he had accomplished his scheme of administration, he was no longer a minister. When his face was hid for a moment, his whole system was on a wide sea, without chart or compass. The gentlemen, his particular friends, with a confidence in him which was justified even in its extravagance by his superior abilities, had never in any instance presumed upon any opinion of their own. Deprived of his guiding influence, they were whirled about, the sport of every gust, and easily driven into any port; and as those who joined with them in manning the vessel of the state were most directly opposite to his opinions, measures, and character, and far the most artful and most powerful of the set, they easily prevailed so as to seize upon the vacant derelict minds of his friends, and instantly they turned the vessel wholly out of the course of his policy. As if it were to insult as well as to betray him, even long before the close of the first session of his administration, when every thing was publicly transacted and with great parade, in his name, they made an act declaring it highly just and expedient to raise a revenue in America. For even then, sir, even before this splendid

orb was entirely set, and while the western horizon was in a blaze with his descending glory, on the opposite quarter of the heavens arose another luminary, and for his hour, became lord of the ascendant.

This light too is passed and set for ever. You understand, to be sure, that I speak of Charles Townshend, officially the re-producer of this fatal scheme; whom I cannot even now remember without some degree of sensibility. In truth he was the delight and ornament of this house, and the charm of every private society which he honoured with his presence. Perhaps there never arose in this country, nor in any country, a man of a more pointed and finished wit; and (where his passions were not concerned) of a more refined, exquisite and penetrating judgment. If he had not so great a stock as some have had who flourished formerly, of knowledge long treasured up, he knew better by far than any man I ever was acquainted with, how to bring together within a short time, all that was necessary to establish, to illustrate, and to decorate that side of the question he supported. He stated his matter skilfully and powerfully. He particularly excelled in a most luminous explanation and display of his subject. His style of argument was neither trite and vulgar, nor subtle and abstruse. He hit the house just between wind and water.—And not being troubled with too anxious a zeal for any matter in question, he was never more tedious or more earnest than the pre-conceived opinions and present temper of his hearers required: to whom he was always in perfect unison. He conformed exactly to the temper of the house and he seemed to guide, because he was always sure to follow it.

I beg pardon, sir, if when I speak of this and of other great men, I appear to digress in saying something of their characters. In this eventful history of the revolutions of America, the characters of such men are of much importance. Great men are the guide-posts and land-marks in the state. The credit of such men at

court, or in the nation, is the sole cause of all the public measures. It would be an invidious thing (most foreign I trust to what you think my disposition) to remark the errors into which the authority of great names has brought the nation, without doing justice at the same time to the great qualities whence that authority arose. The subject is instructive to those who wish to form themselves on whatever of excellence has gone before them. There are many young members in the house, who never saw that prodigy, Charles Townshend; nor of course know what a ferment he was able to excite in every thing by the violent ebullition of his mixed virtues and failings. For failings he had undoubtedly—many of us remember them—we are this day considering the effects of them. But he had no failings which were not owing to a noble cause; to an ardent, generous, perhaps an immoderate passion for fame; a passion, which is the instinct of all great souls. He worshipped that goddess wheresoever she appeared; but he paid his particular devotions to her in her favourite habitation, in her chosen temple, the house of commons. Besides the characters of the individuals who compose our body, it is impossible, Mr. Speaker, not to observe, that this house has a collective character of its own. That character, too, however imperfect, is not unamiable. Like all great public collections of men, you possess a marked love of virtue, and an abhorrence of vice. But among vices, there is none which the house abhors in the same degree with *obstinacy*. Obstinacy, sir, is certainly a great vice; and in the changeful state of political affairs it is frequently the cause of great mischief. It happens, however, very unfortunately, that almost the whole line of the great and masculine virtues, constancy, gravity, magnanimity, fortitude, fidelity, and firmness, are closely allied to this disagreeable quality, of which you have so just an abhorrence; and in their excess, all these virtues very easily fall into it. He who paid such a particular attention to all your feelings, certainly took care not

to shock them by that vice which is most disgustful to you.

That fear of displeasing those who ought most to be pleased, betrayed him sometimes into the other extreme. He had voted, and in the year 1765, had been an advocate for the stamp act. Things and the dispositions of men's minds were changed. In short, the stamp act began to be no favourite with this house. Accordingly, he voted for the repeal. The very next session, as the fashion of this world passeth away, the repeal began to be in as bad repute as the stamp act had been the session before. To conform to the temper which began to prevail, and to prevail mostly amongst those most in power, he declared very early in the winter that a revenue must be had out of America. Here this extraordinary man, then chancellor of the exchequer, found himself in great straits. To please, universally was the object of his life; but to tax and to please, no more than to love and to be wise, is not given to men. However, he attempted it. To render the tax palatable to the partizans of American revenue, he made a preamble stating the necessity of such a revenue. To close with the American distinction, this revenue was *external*, or port duty; but again to soften it to the other party, it was a duty of *supply*, &c. This fine spun scheme had the usual fate of all exquisite policy. But the original plan, and the mode of executing that plan, both arose singly and solely from a love of our applause. He was truly the child of the house. He never thought, did, or said any thing but with a view to you. He every day adapted himself to your disposition; and adjusted himself before it, as at a looking-glass.

He had observed, that several persons, infinitely his inferiors in all respects, had formerly rendered themselves considerable in this house by one method alone. They were a race of men (I hope in God the species is extinct) who, when they rose in their place, no man living could divine from any known adherence to parties,

to opinions, or to principles ; from any order or system in their politics ; or from any sequel or connection in their ideas, what part they were going to take in any debate. It is astonishing, how much this uncertainty, especially at critical times, called the attention of all parties on such men. All eyes where fixed on them, all ears open to hear them ; each party gaped and looked alternately for their vote, almost to the end of their speeches. While the house hung in this uncertainty, now the *hear-hims* rose from this side—now they re-bellowed from the other ; and that party to whom they fell at last from their tremulous and dancing balance, always received them in a tempest of applause. The fortune of such men was a temptation too great to be resisted by one, to whom a single whiff of incense withheld gave much greater pain, than he received delight in the clouds of it which daily rose about him from the prodigal superstition of innumerable admirers. He was a candidate for contradictory honours ; and his great aim was to make those agree in the admiration of him who never agreed in any thing else.

[The following arguments towards the conclusion of this speech are so sensible, so moderate, so wise and beautiful, that I cannot resist the temptation of copying them out, though I did not at first intend it. Burke's speeches are to me, in this my parliamentary progress, what the Duke's castle was to Sancho : I could be content to stay there longer than I am able. I have no inclination to leave the stately palaces, the verdant lawns, the sumptuous entertainments, the grave discourse, and pleasing sounds of music, to sally forth in search of bad roads, meagre, fare, and barren adventures. Charles Fox is indeed to come ; but he is but the knight of the Green Surtout. Pitt is the brazen head that delivers mysterious answers ; and Sheridan, Master Peter with his puppet-show. *Mais allons.*—]

If you do not fall in with this motion, then secure something to fight for, consistent in theory, and valuable in practice. If you must employ your strength, employ it to uphold you in some honourable right or some profitable wrong. If you are apprehensive that the concession recommended to you, though proper, should be a means of drawing on you further but unreasonable claims,—why then employ your force in supporting that reasonable concession against those unreasonable demands. You will employ it with more grace, with better effect, and with great probable concurrence of all the rational and quiet people in the provinces; who are now united with, and hurried away by, the violent; having indeed different dispositions, but a common interest. If you apprehend that on a concession you should be pushed by metaphysical process to the extreme lines, and argued out of your whole authority, my advice is this: when you have recovered your old, your strong, your tenable position, then face about—stop short—do nothing more—reason not at all—oppose the ancient policy and practice of the empire, as a rampart against the speculations of innovations on both sides of the question; and you will stand on great, manly, and sure ground. On this solid basis fix your machines, and they will draw worlds to you.

Your ministers have already adopted the American distinction of internal and external duties. It is a distinction, whatever merit it may have, that was originally moved by the Americans themselves; and I think they will acquiesce in it, if they are not pushed with too much logic, and too little sense; in all the consequences. That is, if external taxation be understood as they and you understood it, when you please, to be not a distinction of geography, but of policy; that it is a power for regulating trade, and not for supporting establishments. The distinction which is as nothing with regard to right, is of most weighty consideration in practice. Recover your old ground, and your old tranquillity—try it—I am persuaded, the Americans will compromise with you.

When confidence is once restored, the odious and suspicious *summum jus* will perish of course. The spirit of practicability, of moderation, and mutual convenience, will never call in geometrical exactness as the arbitrator of an amicable settlement. Consult and follow your experience.

Let us, sir, embrace some system or other, before we end this session. Do you mean to tax America, and to draw a productive revenue from thence? If you do, speak out: name, fix, ascertain this revenue, settle its quantity; define its objects; provide for its collection; and then fight when you have something to fight for. If you murder—rob! If you kill—take possession; and do not appear in the character of madmen, as well as assassins, violent, vindictive, bloody, and tyrannical, without an object. But may better counsels guide you!

Again and again, revert to your old principles—seek peace and ensure it—leave America, if she has any taxable matter in her, to tax herself. I am not here going into the distinction of rights, nor attempting to mark their boundaries. I do not enter into these metaphysical distinctions. I hate the very sound of them. Leave the Americans, as they anciently stood, and these distinctions, born of our unhappy contest, will die along with it. They and we, and their and our ancestors, have been happy under that system. Let the memory of all actions, in contradiction to that good old mode, on both sides, be extinguished for ever. Be content to bind America by laws of trade; you have always done it. Let this be your reason for binding their trade. Do not burthen them with taxes; you were not used to do so from the beginning. Let this be your reason for not taxing. These are the arguments of states and kingdoms. Leave the rest to the schools; for there only they may be discussed with safety. But if intemperately, unwisely, fatally, you sophisticate and poison the very scource of government, by urging subtle deductions, and consequences odious to those you govern, from the unli-

mited and illimitable nature of sovereignty, you will teach them by these means to call that sovereignty itself in question. When you drive him mad, the boar will surely turn upon the hunters. If that sovereignty and their freedom cannot be reconciled, which will they take? They will cast your sovereignty in your face. No body will be argued into slavery. Sir, let the gentlemen on the other side call forth all their ability; let the best of them get up and tell me, what one character of liberty the Americans have, and what one brand of slavery they are free from, if they are bound in their property and industry by all the restraints you can imagine on commerce, and at the same time are made packhorses of every tax you choose to impose, without the least share in granting them. When they bear the burthens of unlimited monopoly, will you bring them to bear the burthens of unlimited revenue too? The Englishman in America will feel that this is slavery—that it is *legal* slavery, will be no compensation either to his feelings or his understanding.

A noble lord,* who spoke some time ago, is full of the fire of ingenuous youth; and when he has modelled the ideas of a lively imagination by experience, he will be an ornament to his country in either house. He has said that the Americans are our children, and how can they revolt against their parent? He says, that if they are not free in their present state, England is not free, because Manchester and other considerable places are not represented. So, then, because some towns in England are not represented, America is to have no representative at all. They are "our children" but when children ask for bread, we are not to give them a stone. Is it because the natural resistance of things, and the various mutations of time, hinder our government or any scheme of government, from being any more than a sort of approximation to the right, is it therefore that the

* Carmarthen.

colonies are to recede from it infinitely? When this child of our's wishes to assimilate to its parent, to reflect with a true filial resemblance the beauteous countenance of British liberty; are we to turn to them the shameful parts of our constitution? Are we to give them our weakness for their strength; our opprobrium for their glory; and the slough of slavery, which we are not able to work off, to serve them for their freedom?

[Thus was this great man, merely for disclaiming metaphysical distinctions and shewing their inapplicability to practical questions, considered as an unintelligible reasoner; as if you were chargeable with the very folly, of which you convict others. Burke understood metaphysics, and knew their true boundaries: when he saw others venturing blindly upon this treacherous ground, and called out to them to stop, shewing them where they were, they said, this man is a metaphysician. General unqualified assertions, universal axioms, and abstract rules serve to embody our prejudices; they are the watch-words of party, the strong-holds of the passions. It is therefore dangerous to meddle with them. Solid reason means nothing more than being carried away by our passions, and solid sense is that which requires no reflection to understand it.]

From his Speech on Conciliation with America.

If any thing were wanting to this necessary operation of the form of government, religion would have given it a complete effect. Religion, always a principle of energy in this new people, is no way worn out or impaired; and their mode of professing it is also one main cause of this free spirit. The people are Protestants, and of that kind which is the most adverse to all implicit submission of mind and opinion. This is a persuasion not only favourable to liberty, but built upon it. I do not think, sir, that the reason of this averseness in the dissenting churches from all that looks like absolute government is so much to be sought in their religious tenets, as in their history. Every one knows that

the Roman Catholic religion is at least coeval with most of the governments where it prevails; that it has generally gone hand in hand with them, and received great favour and every kind of support from authority. The church of England, too, was formed from her cradle under the nursing care of regular government. But the dissenting interests have sprung up in direct opposition to all the ordinary powers of the world, and could justify that opposition only on a strong claim to natural liberty. Their very existence depended on the powerful and unremitted assertion of that claim. All protestantism, even the most cool and passive, is a sort of dissent. But the religion most prevalent in our northern colonies is a refinement on the principle of resistance; it is the diffidence of dissent, and the protestantism of the protestant religion. This religion, under a variety of denominations, agreeing in nothing but in the communion of the spirit of liberty, is predominant in most of the northern provinces, where the church of England, notwithstanding its legal rights, is in reality no more than a sort of private sect, not composing most probably the tenth of the people. The colonists left England when this spirit was high; and in the emigrants was the highest of all: and even that stream of foreigners, which has been constantly flowing into these colonies, has, for the greatest part, been composed of dissenters from the establishments of their several countries, who have brought with them a temper and character, far from alien to that of the people with whom they mixed.

Sir, I can perceive by their manner, that some gentlemen object to the latitude of this description, because in the southern colonies the church of England forms a large body, and has a regular establishment. It is certainly true. There is however a circumstance attending these colonies, which, in my opinion, fully counterbalances this difference, and makes the spirit of liberty still more high and haughty than in those to the northward. It is, that in Virginia and the Carolinas, they

have a vast multitude of slaves. Where this is the case in any part of the world, those who are free, are by far the most proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind of rank and privilege. Not seeing there that freedom (as in countries where it is a common blessing, and as broad and general as the air,) may be united with much abject toil, with great misery, with all the exterior of servitude, liberty looks amongst them like something that is more noble and liberal. I do not mean, sir, to commend the superior morality of this sentiment, which has at least as much pride as virtue in it; but I cannot alter the nature of man. The fact is so, and these people of the southern colonies are much more strongly, and with an higher and more stubborn spirit, attached to liberty than those to the northward. Such were all the ancient common-wealths, such were our Gothic ancestors, such in our days were the Poles, and such will be all masters of slaves, who are not slaves themselves. In such a people, the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it invincible.

Permit me, sir, to add another circumstance in our colonies, which contributes no mean part towards the growth and effect of this untractable spirit. I mean their education. In no country perhaps in the world is the law so general a study. The profession itself is numerous and powerful, and in most provinces it takes the lead. The greater number of the deputies sent to the congress were lawyers. But all who read, and most do read, endeavour to obtain some smattering in that science. I have been told by an eminent bookseller, that in no branch of his business, after tracts of popular devotion, were so many books as those on the law exported to the plantations. The colonists have now fallen into the way of printing them for their own use. I heard that they have sold nearly as many of Blackstone's Commentaries in America as in England. General Gage marks out this disposition very particularly in

a letter on your table. He states, that all the people in his government are lawyers or smatterers in law, and that in Boston they have been enabled by successful chicane, wholly to evade many parts of one of your capital penal constitutions. The smartness of debate will say that this knowledge ought to teach them more clearly the rights of legislature, their obligations to obedience, and the penalties of rebellion. All this is mighty well. But my honourable and learned friend on the floor, who condescends to mark what I say for animadversion, will disdain that ground. He has heard, as well as I, that when great honours and great emoluments do not win over this knowledge to the service of the state, it is a formidable adversary to government. If the spirit be not tamed and broken by these happy methods, it is stubborn and litigious. *Abeunt studia in mores.* This study renders men acute, inquisitive, dexterous, prompt in attack, ready in defence, full of resources. In other countries the people, more simple and of a less mercurial cast, judge of an ill principle in government only by an actual grievance; here they anticipate the evil, and judge of the pressure of the grievance by the badness of the principle. They augur misgovernment at a distance, and snuff the approach of tyranny in every tainted breeze.

From the Speech on Mr. Fox's East India Bill.

The several irruptions of Arabs, Tartars, and Persians into India were, for the greater part, ferocious and bloody and wasteful in the extreme: our entrance into the dominion of that country, was as generally with small comparative effusion of blood, being introduced by various frauds and delusions, and by taking advantage of

the incurable, blind, and, senseless, animosity, which the several country powers bear towards each other, rather than by open force. But the difference in favour of the first conquerors is this; the Asiatic conquerors very soon abated of their ferocity, because they made the conquered country their own. They rose or fell with the rise or fall of the territory they lived in. Fathers there deposited the hopes of their posterity, and children there beheld the monuments of their fathers. Here their lot was finally cast, and it is the natural wish of all, that their lot should not be cast in a bad land. Poverty, sterility, and desolation, are not a recreating prospect to the eye of man, and there are very few who can bear to grow old among the curses of a whole people. If their passion or their avarice drove the Tartar lords to acts of rapacity or tyranny, there was time enough, even in the short life of man, to bring round the ill effects of an abuse of power upon the power itself. If hoards were made by violence, and tyranny, they were still domestic hoards; and domestic profusion, or the rapine of a more powerful and prodigal hand, restored them to the people. With many disorders, and with few political checks upon power, nature had still fair play; the sources of acquisition were not dried up, and therefore the trade, the manufactures, and the commerce of the country flourished. Even avarice and usury itself, operated both for the preservation and the employment of national wealth. The husbandman and manufacturer paid heavy interest, but then they augmented the fund from whence they were again to borrow. Their resources were dearly bought, but they were sure, and the general stock of the community grew by the general effort.

But under the English government all this order is reversed. The Tartar invasion was mischievous; but it is our protection that destroys India. It was their enmity, but it is our friendship: our conquest there, after twenty years, is as crude as it was the first day. The

natives scarcely know what it is to see the grey head of an Englishman. Young men (boys almost) govern there without society, and without sympathy with the natives. They have no more social habits with the people, than if they still resided in England, nor indeed any species of intercourse but that which is necessary to making a sudden fortune with a view to a remote settlement. Animated with all the avarice of age, and all the impetuosity of youth, they roll in one after another, wave after wave, and there is nothing before the eyes of the natives but an endless, hopeless prospect of new flights of birds of prey and passage, with appetites continually renewing for a food that is continually wasting. Every rupee of profit made by an Englishman is lost for ever to India. With us are no retributory superstitions, by which a foundation of charity compensates, through ages, to the poor, for the rapine and injustice of a day. With us no pride erects stately monuments which repair the mischiefs which pride had produced, and which adorn a country out of its own spoils. England has erected no churches, no hospitals, no palaces, no schools. England has built no bridges, made no high roads, cut no navigations, dug out no reservoirs. Every other conqueror of every other description has left some monument, either of state or beneficence, behind him. Were we to be driven out of India this day, nothing would remain to tell that it had been possessed, during the inglorious period of our dominion, by any thing better than the ourang outang, or the tiger.

There is nothing in the boys we send to India worse than the boys whom we are whipping at school, or that we see trailing a pike or bending over a desk at home. But as English youth in India drink the intoxicating draught of authority and dominion before their heads are able to bear it, and as they are full grown in fortune long before they are ripe in principle, neither nature nor reason have any opportunity to exert themselves for remedy of the excesses of their premature power. The

consequences of their conduct, which in good minds (and many of theirs are probably such) might produce penitence or amendment, are unable to pursue the rapidity of their flight. Their prey is lodged in England, and the cries of India are given to seas and winds, to be blown about in every breaking up of the monsoon, over a remote and unhearing ocean. In India all the vices operate by which sudden fortune is acquired; in England are often displayed, by the same persons, the virtues which dispense hereditary wealth. Arrived in England, the destroyers of the nobility and gentry of a whole kingdom, will find the best company in this nation, at a board of elegance and hospitality. Here the manufacturer and husbandman will bless the just and punctual hand, that in India has torn the cloth from the loom, or wrested the scanty portion of rice and salt from the peasant of Bengal, or wrung from him the very opium in which he forgot his oppressions, and his oppressor. They marry into your families, they enter into your senate, they ease your estates by loans, they raise their value by demand, they cherish and protect your relations which lie heavy on your patronage; and there is scarcely a house in the kingdom that does not feel some concern and interest, that makes all reform of our eastern government appear officious and disgusting, and on the whole a most discouraging attempt. In such an attempt you hurt those who are able to return kindness or to resent injury. If you succeed, you save those who cannot so much as give you thanks. All these things shew the difficulty of the work we have on hand: but they shew its necessity too. Our Indian government is in its best state a grievance; it is necessary that the correctives should be uncommonly vigorous, and the work of men sanguine, warm, and even impassioned in the cause. But it is an arduous thing to plead against abuses of a power which originates from our own country, and affects those whom we are used to consider as strangers.

WILLIAM PITT,

(Son of the late Earl of Chatham,)

Was born in 1759. He was educated at Cambridge. He entered at Lincoln's-Inn, and was called to the bar, where he had not much practice. He was just returned to parliament for the borough of Appleby. The following is the first speech he made in the house, on economical reform. He became chancellor of the exchequer in 1783, which office he continued till 1801. He then retired but came in again in 1804, and continued in that office till his death, January 1806.

He began with declaring, that when a subject of so much importance was under discussion in that house, he thought it the duty of every member of parliament to speak his sentiments upon it; that his constituents might be able to form a judgment how far he was likely to prove a faithful representative, and whether he avowed himself a true friend to the liberties of the people, or meant to uphold the influence of the crown, in its present increased and dangerous extent. He observed, that he perfectly approved of a sentiment which had been thrown out, by a gentleman who opposed the bill, that such a plan of economy as that proposed by the bill should have originated with the crown itself. It ought to have come from his majesty's ministers. It would have come with more grace, it would have come with more benefit to the public service, if it had sprung from the royal breast. His majesty's ministers ought

to have come forward, and proposed a reduction in the civil list, and thereby given the people the consolation of knowing, that their sovereign participated in the sufferings of the empire, and presented an honourable example of retrenchment in an hour of general difficulty. They ought to have consulted the glory of their royal master, and seated him in the hearts of his people, by abating from magnificence what was due to necessity. Instead of waiting for the slow request of a burthened people, they should have courted popularity by a voluntary surrender of useless revenue. Far more agreeable would it have been to that house to accede, than to propose; much more pleasing to have observed the free exercise of royal bounty, than to make the appeal, and point out what was right, or what was necessary. But if the ministry failed to do this; if they interfered between the benignity of the sovereign and the distresses of his people, and stopped the tide of royal sympathy, was that a reason why the house of commons, his majesty's public counsellors, should desist from a measure so congenial to the paternal feelings of the sovereign, so applicable to the wants and distresses of the people? The natural beneficence of the royal heart would be gratified by the seasonable remittance; and it was surely no reason, that because the ministry failed to do their duty, the house should cease to attend to theirs. It had been agreed on all hands, that the burthens under which the people groaned, burthens that were more likely to be increased than diminished, were of a degree of pressure that was scarcely tolerable; and that every man, who pointed out a practical mode of relief, would deserve well of his country. The bill now before the house met this idea completely; its effect would be salutary; its operation easy. What was it that it aimed at? Not the taking from the crown any one necessary part of its expence; not the abridgment of what was useful, or what was honourable; not the smallest degradation of its glory; but a mere cur-

tailment of useless pageantry, of empty shew, and idle pomp.* It was undoubtedly an unpleasant thing for that house to take any step, that tended to lessen the income of his majesty. Attached to the person of the sovereign by principles of the truest loyalty, and the purest affection they could not, with sensations of comfort and ease, proceed with a bill of such a nature as that which was now before the house. But then it should be remembered that their constituents were paying enormous taxes, that the national distresses was generally felt, and that the extreme necessity of the times called upon the crown to take its share in the public misfortunes, and to contribute something at least towards the public expence. He had ever considered it to be the duty of a member of parliament, to watch over and guard the liberties of the people with a jealous and an unabating attention and assiduity; but the first of all the duties of a member of that house, was the duty of watching over and guarding the property of his constituents. Would they then shew themselves worthy of the confidence of the people, if they readily acceded to every new impost that was proposed by the minister, without taking one step at least to convince them, that at the same time that they thought themselves bound to consent to farther additions to the national burthens, they took especial care, that the crown should participate in the expences of the war, and that the royal income should suffer in some proportion to the diminution of income daily experienced by his majesty's subjects. Exclusively of the general claim upon the house, to adopt the bill on the ground of justice to their constituents, the petitions that had been presented last year, pointed the measure out

* This is that kind of eloquence which any one may get out of a dictionary. Under the word *pageantry* he will find pomp, parade, empty shew; under the word *useless*, vain, idle, unnecessary, wanton, &c. the reader will, I believe, find this the clue to nearly all the eloquence of this celebrated speaker.

as immediately agreeable to the sentiments of the people; and surely no man would be hardy enough to assert, that when the people petitioned parliament in a peaceable and constitutional manner, it became that house to disregard their prayers. One great object of all the petitions which had been presented, was, a recommendation of economy in the public expenditure; and one great object of the present bill was, to carry into effect the wishes of the people, by introducing a substantial system of economy. Besides the benefits which would result from the bill in this respect, it had another object still more important, and that was, the reduction of the influence of the crown; an influence, which was the more to be dreaded, because more secret in its attacks, and more concealed in its operations, than the power of prerogative.

Mr. Pitt then adverted to the objection that had been made to the bill, that the saving proposed by it was a matter of trifling consideration, when measured by the necessities, or the expences of the time. It proposed to bring no more than 200,000l. a year into the public coffers, and that sum was insignificant, in the public account, when compared with the millions we spend. This was surely the most singular and unaccountable species of reasoning that ever was attempted in any assembly. The calamities of the crisis were too great to be benefited by economy; our expences were so enormous, that it was ridiculous to attend to little matters of account. We have spent so many millions, that thousands are beneath our consideration. We were obliged to spend so much, that it was foolish to think of saving any. By such strange language as this, had the excellent bill now before the house been opposed. But it had also been said that the king's civil list was an irresumeable parliamentary grant, and it had even been compared to a private freehold. The weakness of such arguments was their best refutation. It was true, that parliament had made the grant of the civil list revenue

specially for his majesty's life. But for what purposes was this? Was it merely for his majesty's private use? No man, he was confident, would venture to assert any such thing. The civil list revenue was granted to his majesty as the executive part of the state, to support the government, to pay the judges, to pay the other great officers, and to maintain the grandeur, the dignity, and the lustre of the crown, in which every one of his subjects had an interest. His majesty, in fact, was the trustee of the public, subject to parliamentary supervision; and though *tutelage* was a harsh term, surely no man would say, that it was any degradation to a British prince to be under the *guardianship* of a British parliamant.* The parliament had made the grant, and undoubtedly had a right to resume it, when the necessity of affairs rendered such a resumption so necessary as it was at present. It would be an unpleasant task to investigate the great difference that there was between the wealth of the empire when that revenue was granted and the wealth at the present time. It would serve, however, to shew, that the sum of revenue which was necessary to the support of the common dignity of crown and people at that time, ought now to be reduced, as the public necessities had increased. The people who granted that revenue, under the circumstances of the occasion, were justified in resuming a part of it, under the pressing demand of an altered situation. Upon the whole he entirely approved of the present bill; he felt himself, as a citizen of this country, and a member of that house, highly indebted to the author of it; and as he considered it as essential to the being and the independence of his country, he would give it the most determined support.

* What is all this about?

MR. SHERIDAN.

Richard Brinsley Sheridan, one of the most brilliant speakers that ever appeared in the house of commons, was born in 1750. He was known to the public before he came into parliament, as having written the best comedies of the age. He was returned member for Stafford in 1780, which place he continued to represent till the last election, in 1806, when he succeeded Fox as member for Westminster. On Fox's accession to office in the beginning of the same year, he was appointed treasurer of the navy. The following is his first speech in the house. He has said more witty things than ever were said by any one man in the house of commons: but at present one may say of him, "The wine of life is drunk and but the lees remain."

On employing the Military in the Suppression of Riots.

He remarked, that the police of every country was an object of importance. In a despotic country, where the laws were regulated by the will of the sovereign, the purpose of the police was to give comfort and security to the subject, and, perhaps, to furnish secret information to the rulers. But in a constitution of liberty, like that of England, it was the duty and the object of the people to prefer the essentials of freedom to the comforts of ease; and they were not to purchase internal protection at the expence of slavery. It was not a dead and slavish quiet; it was not a passive calm and submission that were the ultimate objects of police in such a state; but as much good order as was consistent with the active, busy, and bustling genius of liberty. They were not to be awed into submission by a military force, dependent on the will of one man, to whom they delegated their power; nor to constitute a police, which

only could derive maintenance and effect by the intervention of arms. It was for this purpose that the legislature of Great Britain prudently and wisely established a military power only for the duration of one year; or rather, they suspended the illegality of the military power for a year. It was for this that they would intrust no permanent and durable military force in the hands of the crown, but preserved to themselves the security of escape, whenever that force should be misapplied to objects for which it was not designed. As to the police of Westminster, its wretched state was too well known to require any particular description. Its weakness and inefficacy were too severely felt, at a late dreadful period, to be depended on in future. To that we were to ascribe the riots and the outrages that had broken forth in the preceding June, and which had raged without control for many days. To that we were to ascribe the order which had been issued to the military, to act without waiting for orders from the civil power. To that we were to ascribe the establishment of military power in this country for four months, and its being extended to every part of the country. It was the police of Westminster that had given rise to all these calamities and alarms; and yet not one measure had been taken, nor one attempt made, to correct the police, or to prevent a repetition of the same dangers. He was aware that it might be said, that if the negligence and incapacity of the civil power of Westminster had contributed so much to these evils, the same imputation ought to be thrown upon the magistracy of the city of London; since the tumults had reigned with equal impunity in that city, and with equal consequences. To this he could only say, that he could not forget, for a moment, that the tumults began in the city of Westminster; that there they had their small beginnings, and that there they might have been checked with less exertion, than in the subsequent progress of their accumulating force. But the success of the riots in the city of London had

been ascribed to the want of conduct and courage in the chief magistrate. It was to him, and not to the civil power in general of the city, that the blame was given. But however censurable might have been the behaviour of the lord-mayor of London, the lord-lieutenant of the county of Middlesex must have been at least equally criminal. He was invested with the important trust of appointing and regulating the civil power of the county, and it was his duty to see that the magistrates and the officers, whom he had put into the commission, did their duty to their country; and if they did not, he ought to have collected them together, to have appointed them their stations, and to have put them into active employment. But without further investigating that matter, it was proper to inquire, why, after the melancholy experience that we had had of the wretched state of the police, no measures had been adopted to put it on a more respectable footing? Had no attempt been made to establish some more effectual system of police, in order that we might still depend on the remedy of the bayonet; and that the military power might be called in to the aid of contrived weakness, and deliberate inattention? It might perhaps be the wish of some, that the subject might be familiarized to the employment of the military in the suppression of riots; and that upon occasions less alarming than the last, they might resort again to the same remedy.

It might be urged, he further observed, in justification of government for the orders which they had lately issued, that they believed the substitution of the military to be a safe, easy, and constitutional measure in all cases of tumult and riot. He would not attempt to go into any serious investigation of this argument, but only assert, that if it were true that in cases of extreme danger, such a remedy might be safe, easy, and constitutional, still it would be improper to be acknowledged by parliament; for what might be legally done, would be done oftener. He wished to see a bill of indemnity pass, by which the question would be establish-

ed on its proper basis, and the people would have the confidence of knowing, that though the late interference was salutary, it was unconstitutional. If he wanted any additional reason to convince him of the danger of leaving such a power in the hands of the crown, a circumstance which occured in the other house, at the opening of the session, would give him the most convincing proof of the necessity of deciding on the doctrine. This was, that his majesty was praised and exalted for not having acted, in that hour of horror and confusion, like the king of Sweden, in directing his arms against the liberties of the country. This was an expression so alarming in its nature, so threatening, and so formidable, that he could not help thinking it incumbent on the house to rescue the country from a suspicion so dreadful. What! was it in his majesty's power, at that moment, to have trampled on the liberties of the country, and to have introduced military government in the place of the present constitution? Was that the crisis, when this might have been established, when the minds of the people were lost in terror and confusion? No; that was not the moment of danger; the crisis was, when, after the interference of the military power, the chief justice of England said that it was legal, and asserted, that the military acted not as soldiers but as citizens; and when this declaration was not objected to by a specific resolution of parliament, but bore the testimony of general acquiescence. That was the moment when the liberties of the people were in danger; and if it did give the opportunity to the crown, the opportunity still existed. The power claimed, of employing the military without the concurrence of the civil power, had been asserted, in some instances at least, without a cause. The danger was confined to the metropolis; why then was the order extended to every part of the kingdom? Or granting that it was necessary to extend it, why continue it for four months? If this doctrine were to be laid down, that the crown could give orders to the military to interfere, where, when, and for what

length of time it pleased, then we might bid farewell to freedom. If this were the law, we should then be reduced to a military government of the very worst species, in which we should have all the evils of a despotic state, without its discipline, or security. But we were given to understand, that we had the best protection against this evil, in the virtue, the moderation, and the constitutional principles of the sovereign. However highly he might think of the virtues and moderation of the king, he trusted that this was a species of liberty which would never disgrace an English soil. The liberty that rested on the virtuous inclinations of any one man, was but suspended despotism; the sword was not indeed upon their necks, but it hung by the small brittle thread of human will.

MR. ADAM.

THERE was no disgrace, he said, in participating in the honours, rewards, and emoluments of government, or in supporting the measures of government, after those rewards were received, so long as those measures appeared to be calculated to serve the country. The fair and honourable emoluments of government were no improper seducers of the human mind. Before gentlemen talked so loudly of members of parliament having been bribed, by the profitable terms of the loan, to agree to it when proposed in the house, it became them to recollect that those terms were not made by members of parliament, but by the monied men of the city, the directors of the bank, the India house, and other great companies. In judging of the terms of the bargain, whether they were profitable or whether they were disadvantageous, it was necessary to look back to the time,

to the circumstances, and to the prospect of affairs when that bargain was made. He averred, that the minister had made the best terms he could, in the situation in which he stood. The price of the stocks at the time when the loan was in agitation, their price since, the state of affairs, all contributed to prove, that the minister had it not in his power to make better terms for the public. As to the partiality with which the minister was accused, in the distribution of the shares of the loan, it might produce very pernicious consequences to call upon the noble lord to assign his reasons for having given more to one house than to another; and the credit of many houses would be shaken, if, in his own vindication, the minister should say, that he had given to every banker who had applied just as much as he thought the house would be able to pay. This might be the ruin of several families; and as the committees that the honourable baronet had moved for, might give a deadly blow to national credit, he should give his negative to the motion with more satisfaction than he ever felt before. This he should do for many reasons, but principally, because to inquire into private characters would be an inquisitorial tyranny; and oppression to individuals was injurious to the public.

MR. THOMAS TOWNSHEND

RIDICULED the complaint made by Mr. Adam, that illiberal aspersions were thrown out against the members of that house who supported the measures of government. It was, it seemed, an illiberal aspersion upon character, to say, that places or pensions, douceurs or contracts, were among the corrupt seducers of the human heart. To be sure, it would be highly illiberal to

suspect that a member of parliament should be seduced by the good things of this life! It would be an aspersion of the most unjustifiable nature! What! a member of parliament! the dignity of whose situation, and the obligations of whose trust, ought to raise him to an elevation of rank among his species, superior to all the little frailties and passions of the heart, to suspect him of dependence and servility, would be a libel on the human race! And yet the conduct of the honourable gentleman himself, who was so much hurt by such aspersions, might, perhaps, afford some kind of evidence, that it was possible for a member of parliament to change his opinions, or at least to alter his manner of voting, from a prudent consideration of his own interest. The conduct of that gentleman had been marked, on his first appearance in the house, and for some time after, by an acrimonious opposition to the measures of the minister. He was now as much distinguished by a general and indiscriminate approbation of whatever the minister thought proper to adopt. This was a conduct which naturally gave rise to speculation, and to animadversion. When it was observed, that such a gentleman abandoned, in a critical moment, without even the formality of a reason, the friends and the principles which he had maintained, and that he became one of the most zealous and active partizans of that government which he had previously reprobated; when it was observed, that he placed himself immediately behind the treasury bench, whispered the minister, and became his avowed champion; and when it was also seen, that the zeal and activity of this new convert were rewarded with a profitable place under the government; under such circumstances, people could not avoid suspecting, that there was something like influence in a thousand, or twelve hundred pounds a year: and that it was corruption, and not principle, that had converted the enemy into the friend of the minister. Such suspicions might be entertained without any great degree of illiberality, and without any great degree of injustice.

MR. DUNNING.

He observed, that it had sometimes been pretended, that associations, committees of correspondence, delegations, and petitions to that house, signed with more than twenty names, were contrary to law and the constitution. But it was a clear and fundamental point in the constitution of this country, that the people had a right to petition their representatives in parliament; and it was by no means true, that the number of names signed to any such petition was limited. The act, which was passed in the reign of Charles II. prohibiting, under certain penalties, any petition to be presented to the king, or either house of parliament, if signed by more than twenty persons, for altering the religion or the laws, was completely repealed by an article in the bill of rights, which was meant to restore to the people that great privilege, which the act of Charles was calculated to abridge, if not to take away. To argue that the act of Charles was now in force, would be as puerile and absurd, as to contend that the prerogative of the crown still remained in its full extent, notwithstanding the declarations in the bill of rights. If it were true, that the people of this country had a right to petition the legislature, they had a right to assemble together for that purpose; and while their meetings were sober, peaceable, and orderly, they were strictly legal. As associations, committees of correspondence and delegation, their innocence or their criminality must depend entirely upon the views with which they were constituted. There could be no legal criminality in them, unless some evil intention were proved. Associations to overturn

the constitution, to resist the execution of the laws, or to commit any violence, subversive of order, government, and domestic peace, were certainly illegal and highly criminal; such associations ought to be resisted by the civil authority, and suppressed by the intervention of the laws. The laws had sufficiently armed the executive power against any association to overturn the legal government; and the ministry would be traitors if they suffered, either by wilful treachery, or blind negligence, such an association so far to grow and strengthen itself, as to be able to surround the parliament, and with arms and military array, to over-awe their proceedings, and force them to do what they pleased. But an association even of this nature would be legal in certain circumstances. If ever a period should arrive, when the three branches of the legislature should unite in a scheme to destroy the liberties of the people; or if the house of commons, forgetting their origin and their duty, should become the mere creatures and slaves of the crown; it would then be no longer illegal for the commonalty of England to resume their just share in the legislature; and the means by which they accomplished this, whether it was by associations, by remonstrances, or by force, would be not only right, but laudable. It would be an honourable imitation of the conduct of their ancestors, by which the constitution had been wrested from the rapacity and from the violence of prerogative. As to the late public meetings and associations in England, the proceedings respecting them had been grave, deliberate, and orderly; the people had met to exercise a lawful right, that of petitioning their representatives in parliament; and in doing this, they had observed the most steady decorum, and the strictest regard to public tranquillity. He concluded with declaring, that the house ought to agree to the motion, as a matter essentially due from them to the almost unanimous requisition of their constituents.

MR. PITT.

On the American War.

He declared, that the duty he owed to his sovereign, and to his country, would not permit him to remain in silence, when he saw the ministry running headlong into measures, which could end only in the ruin of the state. He wished to shew his attachment to his sovereign, and to his family, by holding to him a language, which would shew him that he had been deceived by those to whom he looked for advice. He wished to discharge his duty to his county, by endeavouring to prevent the parliament from precipitately voting an address, which pledged the house in the most direct manner to prosecute the American war, and to support the continuance of that fatal system, which had led this country step by step, to the most calamitous and disgraceful situation to which a once flourishing and glorious empire could possibly be reduced; a situation, that threatened the final dissolution of the empire, if not prevented by timely, wise, and vigorous efforts. He implored them to pause a moment, and to consider what they were doing. The proposed address; he said, was couched in terms the most hypocritical and delusive; and if suffered, in a crisis so alarming and melancholy, to be published to the world as the real sentiments of the house of commons, it would be an additional misfortune, greater than any that had yet preceded it. It would at once deceive the king, prostitute the judgment of parliament and degrade its dignity, insult the people, and superinduce consequences fatal to the very being and existence of the empire.

It was an honest and a faithful line of conduct in them, to warn both the sovereign and the people of the dangers that were common to both. It was not the base and deceitful language of adulation which parliament should adopt; but that style, and that manner, which became a body of men equally attached to their sovereign and their constituents. Was it becoming the parliament of a free people, to echo back the words which a minister, long practised in the arts of delusion, had dared to put into the royal mouth, but which were every way unworthy of the prince who condescended to deliver them? What information had they before them, to warrant their taking such a step? In the better days of parliament, the attempt to entrap the house into a countenance of assertions, wholly unexplained and unexamined, on the mere authority of a minister, would have been treated with all the violence of merited resentment. The persons whose interest it was to carry on so paltry a deceit, had indeed pretended, that the prosecution of the American war was not the import of the address. But let any man only take the pains to read the words of the address, and he must instantly perceive, that the prosecution of that destructive war was as plainly and fully the meaning of it, as language could possibly convey. Was there an honourable member on either side the house who really doubted it? Was there even a person in the street, into whose hands the address could be put, that would not, on the first perusal, instantly say as much? Why then was the house alone to sacrifice their understandings to the will of the minister, and to support his delusion? But the fact was, that the war was an appendage to the first lord of the treasury, too dear to be parted with. It was the grand pillar, raised on the ruins of the constitution, by which he held his situation; it was the great means of extending that baleful influence of the crown, on which alone he placed his whole security. The war, however, had proved fruitless by fatal experience: and every day that

we persisted in it, clearly removed us farther off from the moment of reconciliation and of reason, and tended rather to create new difficulties, than to smooth the path to peace and friendship. As to the proposed address, it was a dark and desperate attempt to blind the eyes of the king, and to insult the people of England. Was there any one independent member of that house, who would stand up in his place, and say, that those men who had hitherto so misguided the affairs of the kingdom, and in whose hands almost every undertaking had failed, ought to be trusted with the farther management of a war, which they had so wretchedly conducted? What had been done, in recompence for the effusion of human blood that this war had exhibited, and for the enormous grants of supplies with which the ministry had been entrusted? The great events of the war were nothing but so many fatal misfortunes, defeat and ignominy following every effort of our arms, from one end of the continent of America to the other. He therefore implored the house, not to vote for an address which was fraught with hypocrisy and treachery; and which could not have been framed by any who had the smallest spark of regard for the honour of the king, the dignity of parliament, or the interest of the nation.

SIR. JAMES LOWTHER,

Against the Continuance of the American War,

Observed, that the late speech from the throne had given a just alarm to the nation; it had shewn them, that the ministry were determined to persevere in the

American war; that they had a bigotted attachment to it; and that more blood and more money was to be lavished in this ruinous and fatal contest. The men who were invested with the powers of government derived no advantage from experience. The surrender of one army only gave them spirit to risk and to lose a second; and the surrender of a second only instigated them to venture a third. There was no end of loss, nor of madness. Administration went on, from year to year, against the voice of the people of England, because they were supported by a set of men, whom they paid for that purpose in that house. But every unprejudiced and uncorrupted Englishman perceived the wretched and disgraceful situation of his country. He saw the inferiority of our fleets, and the inefficacy of our armies. The melancholy experience of seven years had afforded too much evidence, that the continuance of the American war would lead to irretrievable destruction. The unexampled ignorance, and infamous mismanagement of the ministry, were now visible to all the world; and those delusions which had sheltered and enriched the most unprincipled, whilst they afflicted and impoverished the best citizens of the empire, had lost the power of imposing on the awakened understanding, and of amusing with ideas of imaginary security, the wounded feelings of an irritated nation. When every hope of our success against the colonists was fled for ever, it seemed a proof of madness to persist in the commission of hostilities, which might remove all opportunities of introducing future peace and lasting conciliation. It was, therefore, the indispensable duty of that house, before they voted the supplies requisite for the army, to come to some solemn resolution, in order to mark and define their idea of the American war; and to convince their constituents, that they were awake to the real situation of the country, and anxious to execute their duty, in a manner becoming the representatives of a great and free people.

MR. POWYS.

On the same subject.

He declared, that the vote of that day must either accelerate the ruin of Great Britain, or prove the instrument of restoring it to its habitual lustre, to all its former power, and to the plenitude of happiness and honour. A variety of pretexts, insidiously advanced by the ministry, and too credulously received by the majority of that house, had seduced them, from one session to another, to move with fatal steps along the path to national destruction. They had persevered in the American war against the voice of reason and of wisdom, against that experience which ought to have taught them, and that calamity which ought to have made them feel. That war was the idol of his majesty's ministers, to which they had sacrificed the interests of the empire, and almost half its territories. They had bowed before it themselves, and had made the nation bow. They had asserted, that the public resources were not exhausted; and they had made this assertion, because they themselves found no diminution of income. Their annual incomes arose out of the public purse; and instead of diminishing they increased with the misfortunes, and with the impoverishment of the country.

It would be ridiculous to imagine, Mr. Powys proceeded to observe, that many of those gentlemen who had formerly conceived hopes that the Americans would be compelled to fall, with unconditional submission, at the feet of England, had not relinquished such extravagant ideas. They could not remain insensible, that all arguments for the continuance of the war against the colonies had lost their force. The conduct, which, at the commencement of hostilities, was denominated firmness,

had now degenerated into the grossest obstinacy: an obstinacy, which called upon all honest and independent men to desert the present administration, unless a change of measures were adopted. As to the perseverance of the ministry, in their attempts to vanquish the Americans, that was not in itself a subject of much astonishment. To war they were greatly indebted for the possession of their places, for the enjoyment of immense profits, and of a powerful and far extended influence arising from them. Peace would overwhelm them with insignificancy. It would strip them of the honours and of the advantages of office. It would throw them from the seats, which they had filled to the disgrace and to the ruin of the kingdom. This was the ground of their struggle for the continuance of hostilities against the colonies. That such men should persevere in such iniquitous and selfish measures, was not extraordinary. But it was a just cause for wonder, that they should be supported by individuals of independent principles, and independent fortunes. It could not be denied, that men of this description were still amongst the friends of the ministry; and such gentlemen themselves only could explain, what the motives were for the continuance of an attachment, which in the general opinion was unexampled and unaccountable. The insidious pretence, that it was necessary to make war against the colonists, as the sole means of gaining from them a revenue for the service of government, was grown at length too stale for imposition. That idea had been dropt: and, therefore, could not operate as a reason for an attachment to the measures of the ministry.

SIR GEORGE SAVILLE,

(Member for Yorkshire,)

Distinguished himself by his opposition to the American war, and by bringing in the bill for the repeal of the penal statutes against the Roman Catholics. His speeches abound with real wit and humour. He died 1784, at the age of 59.

On the American War.

He had not been in town, he said, when the king's speech was delivered, nor when the address in answer to it was agreed upon, having been prevented by ill health. But when he read the royal speech in the country, it filled him with horror; because it announced a continuance of the destructive war with the Americans. As to the answer to the speech, experience had convinced him, that the address of that house was avowed to mean nothing; that it was an empty form, and generally nothing more than a mere echo, to the words in the speech from the throne, which was also the speech of the minister. This echo had always been, and this echo would perpetually continue; and in so ridiculous a degree, that were the speech from the throne a repetition of the line,

What beauties does Flora disclose!

the echo from that house would fill up the couplet, and reply,

How sweet are her smiles upon Tweed!

In fact the crown and the two houses danced a minuet together, to a tune of the ministers composing. The crown led off one way; the two houses in a similar step to the opposite corner; then they joined hands, and, at length, finished just as the dance began.

Sir George then adverted to the intimation which had been given by the ministry, that a change was to be made in the mode of conducting the American war. This, he said, was in fact telling the house, that they were determined to prosecute the war with all the feeble efforts of which they were yet capable. They did not intend to prosecute it in the same manner as before! Why? Because they could not, if they would. This disability reminded him of a story, which he must beg leave to relate to the house. A Lacedemonian, during the time of action, having plunged into the sea, laid hold of an Athenian galley with his right hand. It was immediately chopped off. He then catched at the vessel with his left hand, and that likewise was cut off. The persons who were in sight, and who perceived these circumstances, immediately exclaimed, "You will not, sure, once more attempt to fasten on that galley?" Like the British ministry, he answered, "No: not in the same manner." What was the consequence? He seized the vessel with his teeth, and kept his hold until the enemy struck off his head. Thus it was with the minister and his colleagues. They had lost the two hands of the British empire; and they wanted to risk its head upon the prosecution of the same frantic and ineffectual war. Every unprejudiced and sensible observer must perceive, that so extraordinary a conduct resembled, if it did not indicate, the violence of insanity. And could that house so far forget their firmness, their dignity, and their wisdom, as not effectually to resist its influence? Would they madly entrust lunatics with the management of the public purse? Would they place the sword within their hands, and bid them use it at their own discretion?

MR. GRATTAN.

I do not, I confess, like this style, though it is what many people call eloquent. There is a certain spirit and animation in it, but it is over-run with affectation. It is at the same time mechanical, uncouth, and extravagant. It is like a piece of Gothic architecture, full of quaintness and formality. It is "all horrid" with climax and alliteration and epithet and personification. "From injuries to arms, and from arms to liberty: precedent and principle, the Irish volunteers, and the Irish parliament." I am not fond of these double facings, and splicings and clenches in style. They too much resemble a garden laid out according to Pope's description,

"Where each alley has a brother,
And half the platform just reflects the other."

On moving an Address to the Throne, containing a Declaration of Rights.

In his speech on this occasion, he pronounced an animated panegyric on the volunteers, and the late conduct of the Irish nation. He remembered Ireland, he said, when she was a child; he had beheld her progress from injuries to arms, and from arms to liberty. The Irish were no longer afraid of the French, nor of any kingdom, nor of any minister; no longer a divided colony, but an united land, manifesting itself to the rest of the world in signal instances of glory. If men turned their eyes to the rest of Europe, they found the ancient spirit expired, liberty yielded, or empire lost; nations living upon the memory of past glory, and under the care of mercenary armies. But in Ireland, the inhabitants had departed from the example of other nations, and had become an example to them. They had exceeded modern, and equalled ancient Europe. Liberty, in former times, and in other nations, was recovered by the quick feelings, and rapid impulse of the populace; but in Ireland, at the present period, it was recovered by an act of the whole nation, reasoning for three years on her situation, and then rescuing herself

by a settled sense of right pervading the land. The meeting of the military delegates at Dungannon was a great event; it was an original measure; and, like all original measures, matter of surprise, until it become matter of admiration. The English convention parliament was not in the ordinary course of things, nor was the manner of obtaining the great charter. The barons met king John, not in parliament, but in the field, and were in array when they formed the basis of English freedom. Great measures, such as these, the meeting of the English at Runny Mead, and the meeting of the Irish at Dungannon, were original transactions, not flowing from precedent, but containing in themselves precedent and principle. All the great constitutional questions had been lost, and the public cause had been lost, if they had depended only on parliament: but they fell into the hands of the people, and by the people would be preserved. The meeting at Dungannon had resolved, that the claim of the British parliament to bind Ireland was illegal; and this was a constitutional declaration. The Irish volunteers were associated for the preservation of the laws; but the claims of the British parliament were the subversion of all law. The Irish volunteers had supported the rights of the Irish parliament, against those temporary trustees who would have relinquished them. It should at the same time be observed, that England had no reason to fear the Irish volunteers. They would die for England, and her majestic race of men. Allied by liberty, as well as by allegiance, the two nations formed a constitutional confederacy. The perpetual annexation of the crown was one great bond; but Magna Charta was a greater bond. It would be easy to find a king, but impossible for the Irish to find a nation who could communicate to them a great charter, save only England; and it was this which made England their natural connection. Ireland was planted by British privileges, as well as by British men; it was a connection, not, as had been falsely asserted, by conquest,

but by charter. Every true Irishman would say, Liberty with England—but at all events, Liberty. Those, therefore, who would make the connection quadrate with the fixed passion with the country, contended for the British nation, and for the unity of empire. The Irish nation were too high in pride, character, and power, to suffer any other nation to claim a right to make their laws. England had, indeed, brought forward the question, not only by making laws for Ireland the preceding session, but by enabling his majesty to repeal all the laws which England had made for America. Had she consented to repeal the declaratory act against America, and would she retain the declaratory act against Ireland? Was she ready to acknowledge the independency of America, and would she not acknowledge the liberty of the ancient kingdom of Ireland? But if Great Britain were capable of refusing to repeal the declaratory act against Ireland, after she had enabled his majesty to repeal that which was made against America, if she were capable of imposing that distinction, the Irish nation was incapable of submitting to it.

MR. PITT.

On a reform in Parliament.

He observed, that the representation of the commons in parliament was a matter so truly interesting, that it had at all times excited the regard of men the most enlightened; and the defects which they had found in that representation, had given them reason to apprehend the most alarming consequences to the constitution. That the frame of our constitution had undergone material alterations, by which the commons' house of parliament, had received an improper and dangerous bias, and by which, indeed, it had fallen so greatly from

that direction and effect which it was intended, and ought to have in the constitution, he believed it would be idle for him to attempt to prove. It was a fact so plain and palpable, that every man's reason, if not his experience, must point it out to him. He had only to examine the quality and nature of that branch of the constitution, as originally established, and to compare it with its present state and condition. That beautiful frame of government, which had made us the envy and admiration of mankind, in which the people were entitled to hold so distinguished a share, was so far dwindled and departed from its original purity, that the representatives ceased, in a great degree, to be connected with the people. It was the essence of the constitution, that the people had a share in the government by the means of representation; and its excellency and permanency must result from this representation being equal, easy, practicable, and complete. When it ceased to be so; when the representative ceased to have connection with the constituent, and was either dependent on the crown or the aristocracy; there was then a defect in the frame of representation, and it was not innovation, but recovery of the constitution to repair it.

It was not now his intention to enter into any inquiry respecting the proper mode of reform, or to consider what would most completely tally and square with the original frame of the constitution. All that he at present intended was, to move for the institution of a committee, to be composed of such men as the house should, in their wisdom, select, as the most proper and the best qualified for investigating this subject, and making a report to the house of the best means of carrying into execution a moderate and substantial reform of the representation of the people. But though he would not press any particular proposition upon the house, he still thought it his duty to state some facts and circumstances which, in his opinion, made this object of reform essentially necessary. He believed, indeed,

that there was no member of that house, who would not acknowledge, that the representation, as it now stood was incomplete. It was perfectly understood, that there were some boroughs under the influence of the treasury, and others totally possessed by them. It was manifest that such boroughs had no one quality of representation in them. They had no share nor concern in the general interests of the country; and they had in fact no stake for which to appoint their guardians in the popular assembly. The influence of the treasury in some boroughs was also contested; not by the electors of those boroughs, but by some one or other powerful man, who assumed or pretended to an hereditary property of what ought only to be the rights and privileges of the electors. The interests of the treasury were considered, as well as the interest of the great man, the lord, or the commoner, who had connections with the borough: but the interests of the people, the rights of the electors, were the only things that never were attended to, nor taken into the account. Would any man say, that in this case there was the most distant idea or principle of representation? There were other boroughs, which had now in fact no actual existence, but in the return of members to the house. They had no existence in property, in population, in trade, or in weight of any kind. There were hardly any men in such boroughs who had a right to vote; and they were the slaves and the subjects of persons who claimed the property of the boroughs, and who in fact made the returns. This also was no representation, nor any thing like it. Another set of boroughs and towns claimed to themselves the right of bringing their votes to market. They had no other market, no other property, and no other stake in the country, than the property and price which they procured for their votes. Such boroughs were the most dangerous of all others. So far from consulting the interests of their country in the choice which they made, they held out their borough to the best purchaser; and,

in fact, some of them belonged more to the nabob of Arcot, than they did to the people of Great Britain. They were towns and boroughs more within the jurisdiction of the Carnatic, than the limits of the empire of Great Britain; and it was a fact pretty well known, and generally understood, that the nabob of Arcot had no less than seven or eight members in that house. Such boroughs were manifestly sources of corruption: they gave rise to an inundation of corrupt wealth, and corrupt members, by which no interest of the people of this country was promoted; and such boroughs ought to be abolished.

Mr. Pitt proceeded to remark, that there was no man in that house who had more reverence for the constitution, and more respect, even for its vestiges, than himself. But he was afraid, that the reverence, and the enthusiasm, which Englishmen entertained for the constitution, would, if not suddenly prevented, be the means of destroying it; for such was their enthusiasm, that they would not even remove its defects, for fear of touching its beauty. He admired the one so much, so great was his reverence for the beauties of that constitution, that he wished to remove those defects, as he clearly perceived that they were defects, which altered the radical principles of the constitution; and, therefore, it would not be innovation, but recovery of constitution, to remove them. That a reform of the present parliamentary representation was indispensably necessary, was the sentiment of some of the first and greatest characters in the kingdom; and he should also take the liberty to observe that he well knew it to be the sentiment of his much honoured father, the late earl of Chatham. His lordship was firmly of opinion, that a reform of the representation was absolutely requisite for the security of the liberties of the people of this country. He concluded with moving, "That a committee should be appointed to enquire into the state of the representation in parliament, and to report to the house their observations thereon."

On the same.

He declared that he felt sensations of awe and difficulty, of embarrassment and diffidence, when he rose to take into consideration a topic so weighty as that of the principles of a constitution, which was alike the envy and admiration of the world. He was deeply conscious of the difficulty of the task which he had undertaken. He beheld the constitution of his country with wonder and gratitude. It bestowed upon Englishmen privileges so dear and valuable, so advantageous and dignified, that they were beyond the reach of the subjects of any other nation. There was not on the surface of the globe a form of government which could be compared with it, and which was so nearly allied to the perfection of freedom. He was not presumptuous enough to think of laying violent hands on a constitution so pure and so worthy of veneration. He meant not to display any mark of a mad and visionary zeal, by attempting an innovation on what our ancestors had purchased at so great an expence of blood and treasure, and had delivered to us as the most sacred of all trusts. His wish was infinitely different. He desired to restore the true spirit to our constitution, and to bring it back to that stability and vigour which time and changes, accident and events, had contributed to enfeeble and diminish.

The state of parliamentary representation was partial and inadequate. The progress of an undue influence was alarming and ominous. The true spirit of liberty had decayed. The powers of check and control in the different branches of the government were debilitated. There were clamours without doors; and in search of a fit remedy to our grievances, an airy speculation went forth, and engendered visions and chimeras. Ideas of reform impracticable and romantic were conceived, and were fortunately destined to die away in the hands of their inventors. In what he was about to propose, he was animated with a sincere passion to promote the pros-

perity of this country. He begged, therefore, to be heard with dispassion and without prejudice.

The measure he meant to propose, was not designed to gratify any particular description of men. But he believed it would tend essentially to cure the grievance in view, to calm the minds of the public, and to revive the true spirit of the constitution, without opening too wide a door for experiments and innovation. The constitution of England consisted, of three estates, each of which had its peculiar and separate prerogatives. These different prerogatives, notwithstanding, co-operated together in the preservation of the empire; and, though seemingly discordant, united in matters of high consequence and moment. The equipoise of these estates, was adjusted with great nicety, and while it kept its centre, the constitution would necessarily be productive of liberty. From the advances, however, of corruption, and the progress of exertions of influence, it was universally known and acknowledged that the house of commons had departed from the original spirit and rules of the constitution, and that the people of England complained with reason and justice, that there subsisted not between them and their representatives that strict community of interest and language which ought invariably to have prevailed.

For this disease it was necessary to seek for a remedy. A variety of schemes had been pointed out as adequate and practicable; but they illustrated rather the zeal than the wisdom of those who had formed them. An idea had been entertained by some of an equal and universal representation. This idea appeared to him to be wild, extravagant, and impracticable. It involved an endless multitude of contradictions, and would lead to a system of oppression and tyranny. They must not give way to such vague theories No alteration should be made upon the constitution, but with the most wary jealousy, and the most wakeful suspicion. The measure he had to propose was gentle, moderate, and safe. He would throw

it, for the sake of perspicuity, into the form of resolutions; and he begged that they might not be rejected without a due discussion. The main or chief object of them was an augmentation of the numbers of the house of commons, by the addition of county members, and members for the metropolis. Such members he stated as the least liable to impurity and corruption, and as those whom the people regarded with the greatest confidence. An addition of this sort would, of consequence, establish a greater community and power of interests between that house and the people, and would operate to the extinction of those doubts and jealousies which prevailed without doors of improper influence and corrupt motives. It would at the same time be a means of supporting every honest administration, by checking those fluctuations of government which had abounded so much of late, and which foreign nations deemed so disgraceful to this country.

It was his opinion, that an addition should be made of at least one hundred county members; yet if it should be contended that two additional members for each county was sufficient, he should think that the acquisition of that point, though only a partial application of his proposition, would be a considerable improvement of the constitution. With regard to what were termed the rotten boroughs, he did not wish to destroy their rights. For the arbitrary disfranchising of any electors was a stroke of tyranny and injustice. But he esteemed it right, that where a majority of the voters of such boroughs were convicted of corruption, a ground of disfranchisement should be opened against them. That the innocent, however, might not suffer with the guilty, he accounted it expedient that the virtuous minorities of such boroughs should be entitled to vote for the counties where the disfranchised boroughs were situated. There could be no better method of preserving boroughs from corruption.

He had three resolutions to submit to deliberation. The first he imagined would be assented to with little

hesitation. Of the success of the second, he entertained sanguine hopes; and concerning the third, he observed, that though it might meet with opposition, he was disposed to believe that it was founded in reason and propriety. These resolutions were of the following import. "1. That it was the opinion of the house, that measures were highly nesessary to be taken for the farther prevention of bribery and expence at elections. 2. That for the future, when the majority of voters for any borough shall be convicted of gross and notorious corruption before a select committee of that house, appointed to try the merits of any election, such borough should be disfranchised, and the minority of voters not so convicted should be entitled to vote for the county in which such borough shall be situated. 3. That an addition of knights of the shire, and of representatives of the metropolis, should be added to the state of the representation."

Mr. Pitt observed, that if he should succeed in these resolutions, it was his intention to bring in a bill upon their repsective principles; and that it would then be proper to discuss and decide upon the precise number of the new knights of the shire, and of the other regulations and restrictions which might be useful and expedient.

MR. POWYS,

Insisted that the grievance should be pointed out and explained, before any alteration should be made in the constitution of the house. Ideas of reform so extravagant had gone abroad, that it was necessary to proceed with the greatest caution. He talked with ridicule of the duke of Richmond's scheme of universal representation; and declared that the noble reformer being filled with the grandeur of his subject, dis-

dained to regard the narrow limits of practicability. He asserted, that the people of England felt no real grievance; but that their passions had been excited by incendiaries, who had been sent into the different counties to promote the business of petitioning for a reform of parliament. But though petitions had been transmitted requesting a reform, yet they made no specific charges of criminality or grievance.

An appeal was made to ancient times, when our constitution was virtuous, and an anxious wish was expressed, that the true spirit of our government should be restored. He was however at a loss to recollect the period when there existed a virtuous and uncorrupted representation. Under what prince, and in what æra, were we to look for those happy, those chaste, those halcyon days? The country might indeed labour under a disease; but he wished that before the physicians should prescribe for it they would establish and explain its prognostics. The constitution had lasted long, and he believed it would last much longer, unless it was tampered with. Politicians might be compared to quacks; and in the present case their behaviour was not more absurd than that of the doctor, who, meeting in the street a lame man, should say to him, "Good God, sir, how came you by that leg—It is shorter than the other—I wonder how you walk with it?" The lame man might naturally enough reply, "I was born with my leg in this condition. The infirmity is a natural one, and does not prevent me from doing my duty as a citizen, churchwarden, clergyman, or militia officer. I can walk, dance, and jump, notwithstanding my lameness; and have been able to do so these twenty years." "Your case, however (resumes the quack) is critical and unseemly. I must take you under my direction. I must break your leg in order to cure it." In this light, he confessed, the resolutions which had been read struck his understanding. It was ridiculous to offer advice and remedies where they were neither

asked for nor wanted. To give way to jealousies on the subject of representation, was to court difficulties without necessity; and to new model the fabric of our liberties, was to sport with a trust the most invaluable. He professed himself to be as independent as any man could be; his love of his country was sincere and strong; and he was ready to sacrifice his life for its support. But he would by no means consent to involve the kingdom in danger from a vain expectation of advantages, or from a preposterous indulgence in hopes that were never to be realized.

MR. T. PITT.

Intimated his dread of changes, and an apprehension lest any encouragement should be given to those impracticable plans of reform which were floating on the public. He expressed a strong disapprobation at the madness of theorists. But though he was an enemy to visionary speculations, he was friendly to reforms upon constitutional principles; and he could not but bestow his assent to resolutions which held forth specific remedies upon practical grounds. They involved no new principles, rescinded no ancient rights arbitrarily, and established no dangerous precedents. The county members were no doubt the most respectable part of the representatives of the people; and it would certainly be an improvement on the constitution to augment their number. He acknowledged, however, that the measure should be cautiously carried into execution; and that the augmentation of new knights should not be too great. The constitution was a system so nice and so complicated, that its mechanism required to be touched with the greatest skill. It was his opinion, that the resolutions

pointed at an increase of members that would render the house of commons too bulky and unwieldy for business. It seemed to him that the addition of one member to each county in England and Wales was sufficient. To overshoot the mark would tend to mischief and calamity. He admired the limited monarchy under which we lived; and he could desire nothing more anxiously than that all its checks should remain unimpaired. There was danger in giving too much power to the people, as well as to the prince. It was a pleasure to him to observe that the resolution did not meddle with the burgage tenures; for these he considered as fortresses against the influence of the minister. Yet from the peculiarity of his situation he was sensible that by this opinion he would expose himself to the charge of selfishness. As a proof however of his sincerity, he was ready to make a voluntary sacrifice of his borough to save the rest. It was of little consequence to the nation whether he or his posterity should have a seat in the house of commons, provided the constitution should be confirmed in its strength and purity.

LORD NORTH.

Considered the mere touch of so venerable a fabric as the constitution, though for the purpose of amending it, to be a matter of dread and apprehension. It was impossible to conceive an attempt of a more delicate nature. It was to tamper with a fabric which was the boast of Britons, and the admiration of nations. It became Englishmen to pause and to reflect deeply before they entered upon so awful an undertaking. The idea that the constitution was disordered, was a fancy;

and to treat it as diseased, without any evidence of the distemper, was a phrenzy.

He called for proofs of any weakness that required to be repaired. Of real and consuming disorders he had heard nothing. Undue influence and corruption were indeed great evils; but they were natural and unavoidable. He deplored them as misfortunes and calamities; but they could not be effectually guarded against, any more than convulsions and earthquakes. He saw no reason for complying with the resolutions. The sense of the great body of the people of England was not contained in the petitions which had come from a few counties and boroughs. Even the sense of the counties and boroughs which had sent petitions, was not expressed in them. The petitions were framed and subscribed through the hot zeal and the passionate folly of individuals who had been seized with the disease of reformation. He would not vote for the addition of a hundred knights, nor for fifty, nor for one. Those who were fond of beginning innovations should look forward to the point at which they were to terminate. Innovation, like the gravity of a weight in sinking, once begun, would carry all before it. Destruction and ruin would ensue. To seek a remedy when there was no disease, was itself a distemper. When the puny voice of a few discontented individuals breaks in upon the tranquillity of a vast and contented multitude, it is difficult to repress an emotion of indignation or scorn. The balance of the constitution would be infringed and violated by the addition of members for the counties. It would give a decided superiority to the landed interest over the commercial. It would tarnish the beauty of the house of commons, which, like the general fabric of the British legislature, provides and preserves a due poise between the great interests of the empire; the landed, the commercial, and the monied. They were not the deputies, but the representatives of the people. They were to be governed by their own discretion, and not by humours and

faction. They must not sacrifice the venerable palladium which ages has sanctified, because there had arisen a wild spirit of project; a spirit which had no real foundation, and which was only supported by declamation and surmise.

It was not true that the house of commons had not a full and proper weight. His political life was a proof that it had. Before he was honoured with office he had been in parliament. It was parliament that made him a minister. It was among the commons that he was first known. He came among them without connection. It was to them that he was indebted for his rise; and they had pulled him down. He had been the creature of their opinion and their power: his political career was of consequence a proof of their independence. The voice of the commons was sufficient to remove whatever was displeasing to the sentiments and wishes of the country; and in such a situation to parade about a reformation, was idle, unnecessary, dangerous, and inexpedient.

MR. BEAUFOY.

Contended, that it was unconstitutional to treat with contempt the petitions of the people. The situation of the times called for a reform. The representation of the people was partial and inadequate. The theory of the constitution acknowledges general rights, but in practice establishes incomplete and local privileges. The theory of the constitution supposes a due connection between the people and their representatives; but its practice derides altogether that connection. It is to the want of an impartial and full representation of the people that all the national evils which have arisen of late years were

to be imputed. To this cause the American war was to be ascribed; a contest in which loss was certain, and advantage impossible; and there grew out of it the systematic extravagance in the expenditure of public money, and the exorbitant premiums upon loans which had so unhappily distinguished modern times.

To establish a sameness of interest between the people and the house of commons is the object and principle of the resolutions which had been read; and it was an improvement infinitely to be desired. It offers no violence to the rights of any description of men; is consonant to the genius of our constitution; and perfectly adequate to the grievance complained of. To calumniate innovation, and to decry it, was preposterous and unwise. Had there never been any innovations on the constitution? Could it be forgotten for one moment, that all the advantages, civil and political, which we enjoy at this hour, were in reality the immediate and fortunate effects of innovation? It was by innovations that the English constitution had grown and flourished. It was by innovations that the house of commons had risen to importance. It was at different æras that the counties and towns were empowered to elect representatives. Even the office of speaker was an innovation; for it was not heard of till the reign of Richard II. What was more, the freedom of speech, which was now valued so highly, was an innovation; for there were times when no member dared to give reign to his sentiments; and when his head must have answered for the boldness of his tongue. To argue against innovations was to argue against improvements of every kind. When the followers of Wickliffe maintained the cause of humanity and reason against absurdity and superstition, "no innovation" was the cry; and the fires of persecution blazed over the kingdom. Let there be no innovation is the maxim of the ignorant, the interested, and the worthless. It is the favourite tenet of the servile advocate of tyranny. It is the motto which bigotry has in-

scribed upon her banners. It is the barrier that opposes every improvement, political, civil, and religious.

To reprobate all innovations on the constitution is to suppose that it is perfect. But perfection was not its attribute, either in the Saxon or Norman times. It is not its attribute in the present moment. In former ages its defects have been remedied with advantage; and is no farther care to be extended to it? While it is distant from perfection, it is right to make it approach to it. Alterations are perpetually necessary in every constitution; for the government should be accommodated to the times, the circumstances of which are ever changing. When the Stuarts ascended the throne, the circumstances of the times and the disposition of the people called for alterations. It was the misfortune of that family to oppose itself to these circumstances and that disposition. The consequences were fatal to it. Our situation required the remedies which were prescribed. The proposed resolutions were salutary. They were the proper means to invigorate a constitution which had run to decay; and they were the only security which could be obtained against the profligacy of the times, the corruption of the people, and the ambition of the crown*.

DUKE OF RICHMOND.

On a motion concerning the putting the Seals into Commission.

He was sensible, that there were men by whom every proposition for a reform would be ridiculed as a theory and a chimera. But allowing their fullest weight to such sort of arguments, he was convinced that there were

* I do not recollect more smartness of debate shewn any where than in this and the preceding speech.

such things as original principles; and that there could not be any impropriety in resorting to these, when the constitution was threatened with encroachments and danger.

He considered that parliament, when corrupted, was the most powerful instrument to destroy the constitution. The next instrument, both with regard to power and danger, was the corruption of the judges. To the topic of the independency of the judges, his thoughts had been drawn very forcibly by the consideration of the commission into which the great seal had lately been put. He meant nothing personal to lord Loughborough, nor to the other judges who were the commissioners for its custody. It was the measure, and not the men, which had employed his reflections.

It was a point not to be disputed, that the independency of the judges was a matter in which every individual in the kingdom was sensibly interested. The uprightness and integrity of men who judged of the property and the lives of the subjects of England, were qualities which were indisputably necessary for the security of the public, and for the equal distribution of the laws of the land. This position, so strong in itself, and so obvious, was well illustrated in our history. In early times, the judges were solely dependent on the pleasure of the crown. Antecedently to the revolution, they were created and deposed at the will of the sovereign. After that great event, they were understood to hold their situations while they could execute their duty with integrity. But prior to the demise of the late king, doubts came to be entertained whether the commissions of the judges did not expire with the sovereign who granted them. To these doubts, an end was put by an act of George III. which declared, that they should continue constantly in office, and be removeable only for crimes, with the exception, that an address of both houses of parliament to the crown, should operate their degradation. From this act, which gave a validity to their commissions dur-

ing their lives, while their behaviour was proper; and from an act of King William, which declared that their salaries should be fixed and ascertained; it was understood, that in a free country, they ought to be above every idea of dependence. For without the enjoyment of known and determined salaries, and without commissions for life, they could not with any propriety be considered as independent. Of late years, however, the spirit of these laws was invaded; and additions had occasionally been made to the salaries of some of the judges. These partial additions were alarming, as they flowed from the crown. For if an addition of a thousand or two thousand pounds a year could be made to one judge, it might be proffered to all, and accepted by them; and thus the judges, who ought to be independent, would become the obedient vassals of the prerogative.

There were two methods of governing men, and of making them dependent. They were directed by their fears and their hopes. Now the acts of king William and of George III. had taken away the fears of the judges; for the will or pleasure of the crown could not remove them, except for crimes. But if their hopes were not destroyed as well as their fears, the work of their independency was but half atchieved. From the consideration of this circumstance, he had been prompted to submit to the peers the commission lately issued to three lords,* entrusting them with the care of the great seal. It was obvious, that the judges in that commission had been selected by favour, and not by seniority. This of itself was a peculiarity that was suspicious. But farther, the emoluments which accrued to the holders of the great seal were extensive; and these, with the

* Right hon. lord Loughborough, lord chief justice of his majesty's court of Common Pleas; sir William Henry Ashhurst, one of the justices of his majesty's court of King's Bench; and sir Beaumont Hotham, one of the barons of his majesty's court of Exchequer.

super-addition of the sallaries enjoyed by the commissioners as judges, gave them advantages which were certainly improper and dangerous. For future judges might expect them: they might indulge in the hope of them; make advances to facilitate their hopes; and laying aside their independence, bask under the influence of the crown.

Nothing could be farther from his mind than to make any insinuation to the prejudice of the present commissioners of the great seal. It became him to say of them, and of the judges in general, that there never was upon the bench a set of men so incorrupt, so able, and so deserving. Their characters were not exposed to impeachments of any kind. From the present commission he had nothing to apprehend. It was the example that affected him. He foresaw the consequences that must inevitably follow the prevalence of such a practice. He dreaded them; and every friend to the constitution ought to dread them.

Of the evil complained of he was certain; but he did not know how to point out a remedy for it. But this was no reason why the matter should not be inquired into. In one of the old commissions, three lay-lords had been joined with the master of the rolls for the time being. In another, serjeant Maynard, and other serjeants, had been the commissioners. It was difficult to say what class of men ought most naturally to aspire to the distinction of commissioners; but sure he was, that to select judges by favour to sit in this capacity, and to bestow upon them the salaries and emoluments arising to a lord chancellor, was to affect their independency in a manner the most material. If there was any necessity for choosing judges to be commissioners, and if it was possible for them to have leisure from the business of their own courts to exercise this new and important duty, let them do it without any additional sallary or perquisite.

There were also other methods by which the hopes of the judges were excited, and from which he was

equally averse. The granting, for example, of commissions similar to that under which the present chief justice of the king's bench sat as speaker of the house of lords, appeared to him to be highly exceptionable. It was well known to him, that the commission of the noble earl was not a new one, but of an old date. Still, however, that method of reward seemed addressed to the hopes of judges. It tended to submit them to a dependence on the will and pleasure of the crown. It was a contradiction to the idea, that judges ought to have stated and fixed sallaries, and ought to be secure in their independence.

He acknowledged that his feelings were assailed by another circumstance; and he conceived it to be hazardous that judges should at all sit in the house of peers. He desired not to say that the highest honours which the crown had to confer, should not be opened to the law as well as to every other honourable profession. But it was his opinion, that while lawyers sat on the bench as judges, they should abstain from the exercise of the privileges of peers. They ought not to sit to debate and to vote in the house of peers. Those whose business it was to expound the law, ought not to act as legislators. The opinion of president Montesquieu, who had studied with care the English constitution, ought to have weight on this subject. It was so remarkably to the point, that he would quote it. That great man observes, "When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty; because apprehensions may arise lest the same monarch or senate should enact tyrannical laws to execute them in a tyrannical manner. No liberty can exist, if the judiciary power be not separated from the legislative and the executive. Were it joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control: for the judge would be then the legislator. Were it joined to the executive power, the judge might behave with violence and op-

pression." There was another authority to which he would appeal, and of which the value would not be controverted. "Nothing, (according to Mr. Blackstone,) is more to be avoided in a free constitution, than uniting the provinces of a judge and a minister."

He confessed that these testimonies had great weight with him; and they could not but impress him with the greater force, when he considered the very slender and extraordinary ground on which the judges were excluded from sitting in the other house of parliament. Their exclusion did not rest upon any law or act of parliament. It was the consequence of a single resolution of the house of commons. If the impropriety then of their sitting in the one house was so easily admitted, he could not conceive why there should be much difficulty in allowing it with regard to the other. To sit among the peers, and to act as politicians, was inconsistent with the character of judges. Nor was this all. For if lord chancellors and lords commissioners were to sit as peers, they must deliberate upon their own decrees, and, as it were, try themselves. In an idea of this sort, there was every thing that was most irrational. It had been boasted of by lord Hardwicke, that though he had sat upon the woolsack during a long period, not one of his decrees had been reversed. This assertion, however, though used in triumph, appeared to him to be a fact that proved too much, and which, of consequence, was not properly to be regarded as of a complimentary strain. Was it to be supposed, that lord Hardwicke was infallible, and that in the multitude of his determinations on the chancery bench, he had never once pronounced an erroneous judgment? Or was it not more natural to suppose, that the reason why none of his lordship's decrees had been reversed during his continuance on the woolsack, was the great influence which a chancellor of lord Hardwicke's abilities must ever possess in that house. This opinion had impressed him strongly: and it was a confirmation of it, that when lord Henley sat in that house

as lord keeper, he had the misfortune to endure the reversal of his decrees; but that from the time he became lord Northington; and was created a peer, having an opportunity of talking to their lordships about his decrees, there was no longer any reversals of them. In all cases of appeal, a custom had prevailed to leave the judgment to the law lords. The lay lords seldom interfered. That the law lords should try over again the causes they had adjudged, was therefore, he imagined, an impropriety so glaring, that it could not but strike every impartial observer. The source of justice ought to be preserved with a most scrupulous purity. He wished, accordingly, that effectual measures were taken for removing the hopes as well as the fears of judges: and, perhaps, no method could produce this purpose so advantageously as their confinement to their judgeships. At the same time, he was not anxious to narrow their incomes. If their salaries were insufficient either for their dignity or their services, let them be augmented. But if any augmentation be given, let it be fixed and not variable. Let it not fluctuate at the pleasure of the crown.

He intimated that it was his intention to move, that a committee should be appointed to inquire into the independency of the judges, and into the best means of securing it. As, however, a naked vote of that kind might be deemed unparliamentary, he would previously move, "That putting the seals in commission, *durante bene placito*, and appointing judges commissioners, with large salaries and perquisites to be received by them during the existence of a commission originating in and solely dependant on the will and pleasure of the crown, tended to invalidate the act of the 13th of king William."

DUKE OF PORTLAND.

OBJECTED to the motion which had been made; and considered it as containing, by implication, a violent censure of the measure to which it so pointedly alluded. He was entirely convinced that the judges ought to be independent; and he could not conceive that they could be secured more effectually against the influence of the crown than by the methods which had already been adopted for that end.

To put the seals in commission, was not a new experiment. It had been done repeatedly without censure. In the present case it was merely a temporary transaction; and it was not easy to observe how it could detract from the independency of the judges. In human affairs, to extinguish the excitements of hope would be to extinguish the vigour of human action and pursuits. Besides, if the argument were just, that the hope of being put into a commission for the great seal would destroy the independency of the judges, did it not follow, that there should be no such places as the chief justiceships of the courts of the king's-bench and common pleas? Did it not follow, that in the exchequer there should be no such place as the seat of the chief baron? Did it not follow, that the most scrupulous equality should be maintained among judges; that they should never presume to aspire to the peerage; and that every high honour in the gift of the crown should be industriously placed beyond their reach? That he might oppose, however, the motion, in the most respectful manner to the noble duke, he moved the previous question.

LORD STORMONT.

EXPRESSED his surprize, that the noble duke should have withdrawn his first resolution, because it was a ground and basis for the second, which was now wantonly suspended in the air; for it could not be said, that the smallest fact appeared to support it, or to induce the house to agree to it. The withdrawing of the first motion took away every pretension for the adoption of the second. The evil complained of he could not but hold to be imaginary; and it was beneath the dignity of the peers to waste their time in speculating upon it. He contended, that president Montesquieu, in the passage quoted by the noble duke, alluded not expressly to the English constitution. That great politician was not so ignorant of the English constitution as not to know that a judicial was blended with a legislative power in the house of peers; and that the peers could act occasionally in both capacities. It was also to be observed, that Montesquieu was not fond of changes, even when a real grievance was discovered. For men, after suffering an evil, know its extent, and are accustomed to bear it; but they know not the operation of the remedy that might be prescribed, and have a title to entertain apprehensions, lest they might lose by adopting it. That author had likewise extended his ridicule to those who were ever eager after a refinement on freedom; and had diverted himself with Harrington, who had built a Chalcedon with a Byzantium before his eyes. To take away from judges by act of parliament the excitement of ambition and hope, would be a stroke of the vilest tyranny. Nor could he reconcile himself to the notion, that commissions should be filled with lay lords. He never wished to have a suit in chancery; but if that misfortune should befal him, he should think himself still more unfortunate, if the seals should be in any hands but those of lawyers.

ALEXANDER WEDDERBURNE,
(LORD LOUGHBOROUGH,)

(Afterwards Earl Rosslyn, and Lord Chancellor, a celebrated Speaker and Judge.)

He remarked, that a proneness to speculation, and a love of change, had been imputed to the noble duke whose resolutions had been under discussion. In some degree the observation might be just; but he thought it inapplicable in the present case. The noble duke might be anxious indeed to establish a theory; but the term theory had no sort of reference to his motions. In a theory it is necessary to look for something like system, or arrangement; like method, of design, or order. We desiderate something that is to be carried into practice; we expect the detection of an error, and the suggestion of an improvement. But the noble duke had pointed out no error; and was solicitous to engage them in the task of seeking a remedy for a grievance that only existed in his own imagination. He was full of complaints. He had yet ascertained and described no evil. He was fond of innovation. He had yet ascertained and described no remedy. He was profuse in impossibilities and absurdities. He assailed a practice which the discretion of the crown has repeatedly exercised, and always with approbation. He had discovered in it nothing that is oppressive to the subject; and experience, the infallible test of political truth, has demonstrated that no inconvenience can result from it.

The noble duke, he observed, lost in the maze of vague observation, and dreaming of unreal defects, was resolute to bear away from the human mind hopes and fears, which are inseparable from it, and upon which much of what is valuable in it depends. The mind of man has indeed been represented in very different lights. By some it is conceived to be every thing that is worthy and amiable; and by others it is represented as most

worthless and wicked. Such disquisitions are the province of moralists; and they may have their use. But legislators act very indifferently. They do not wander into abstract reasonings; they apply the restraints of the law to any ill habit of the mind, as it becomes predominant and prejudical to the true and rational ends of society.

With a wild spirit of project, the noble duke imagines that the hope of being promoted to a commission, which is rarely necessary, and always of short duration, and the fear of being removed from a situation so precarious and uncertain, may at some time or other affect the independency of the judges of the crown, and operate as ruinous temptations to corruption and servility. From the accession of the illustrious family upon the throne, the great seal has been but four times in commission, previously to the present appointment. Now the noble duke ought to have instanced from these, that the judges who acted under them had acted improperly. He should have shewn, that their independence or integrity were hurt by their holding the great seal; and if this was impossible, he ought to have evinced to a certainty, that the present commission was different from the former ones, and peculiarly obnoxious to animadversion. But he had been able to collect no fact that could justify his conduct. He had no solid ground to rest upon; and he mounts up into the air.

Every man who loves the constitution, and who venerates the laws, must desire infinitely the independence of the judges. Without their independence there could be no equal or impartial administration of justice. For their independence, there can be but one wish and one sentiment. But is it to be affirmed, that this independence is wanting? No. The conduct of the judges cannot be arraigned. At this period they have even more independence than they ever possessed at any given time since the revolution; and it is guarded and protected in a manner the most effectual.

When a reference is made to former commissioners,

it is fit to attend to fact and experience. Did any of them betray an improper bias to the crown, or could it be ever said, that their integrity received any taint by their having been commissioners? In the first of the four commissions to which he had alluded, there were sir Joseph Jekyll, lord chief baron Gilbert, and lord Raymond Now could it be said of sir Joseph Jeykll, that he was pliant and accommodating to the crown? This would be to reverse his character altogether. His inflexibility was proverbial. Could any thing like a vile subserviency or corruption be imputed to lord chief baron Gilbert, or lord Raymond? The tooth of calumny could not fasten upon them. Their integrity and independence were as unshaken and unsullied as their professional reputations were distinguished and great. To the judges in the other three commissions, equal praise was due; and so far was it from being a rule, that the discretion of the crown should be directed in the selection of the commissioners by a regard to seniority among the puisne judges, that it so happened, that in the instances produced, the senior puisne judge was not called to the station of a commissioner.

As to the present commission, setting aside one person, he did not doubt but that those who might speak of it in future times might have a title to pronounce of it in the terms he had employed with regard to former commissioners. It had indeed existed only a short time. An enlightened public, however, and a learned bar, would judge impartially and correctly of its conduct. As an individual, it became him to answer only for his industry, and for the intentions which he felt to discharge with fidelity the duties of his commission. He was called to act; and it was the province of others to judge of him.

The noble duke had glanced at the augmentation which his majesty had been pleased to make to the chief justice of the common pleas, since he had the honour to sustain that office. This allusion was indecent, and be-

longed not to the subject under discussion. If the person who now held the office were alone considered, the augmentation might perhaps be beyond his desert. But if the nature and rank and duties of the office were considered, he believed that no dispassionate man would pronounce that it was too large. Was it not right to secure the integrity and independence of a station so important as that of the chief justice of the common pleas? When he had agreed to accept that honour, he quitted a very lucrative situation in the profession; and he was given to understand, that its appointments were to be made permanently equal to what every impartial men felt to be proper for it. Under this assurance, he had accepted the high honour which was offered to him; leaving the office which he then held, and renouncing all the advantages attending the practice of his profession. It is an observation, that what may be done at any time is very apt to be delayed. It happened that he continued in office nearly a year and a half before he either knew what the appointments actually were, or received any part of his salary. At length the extent of the augmentation was ascertained. But this augmentation was not personally and individually to him while he held the place of chief justice. The appointment was not particular and partial. It was annexed to the chief justice of the common pleas, and was to go to his successors.

MR. FLOOD,

In reply to Mr. Grattan.

To the invective of Mr. Grattan it was replied by his antagonist, that every member of the house could bear

witness to the infirmity he had mentioned, and that it showed little candour to make a nocturnal attack upon that infirmity. But he was not afraid to meet the right honourable member at any time, or upon any ground. He would stand poorly in his own estimation, and in his country's opinion, if he did not stand far above him. He did not come there dressed in a rich wardrobe of words to delude the people. He was not one who had promised to bring in a bill of rights, yet neither brought in the bill, nor permitted any other person to do it. He was not one who had threatened to impeach the chief justice of the king's bench for acting under an English law, and afterwards shrunk from that business. He was not the author of the simple repeal. He had not come at midnight, and attempted, by a vote of that house, to arrest the progress of reason, and stifle the voice of the people. He was not the mendicant patriot, who was bought by his country for a sum of money, and then sold his country for prompt payment. A man of warm imagination and a brilliant fancy might sometimes be dazzled with his own ideas, and for a moment fall into error; but a man of a sound head could not have made so egregious a mistake, and a man of an honest heart would not have persisted in it after it was discovered. For himself, the whole force of what had been said against him rested upon this, that he once accepted an office. But was a man the less a patriot for being an honest servant to the crown? He had taken as great a part, with the first office of the state at his back, as ever the right honourable gentleman did with mendicancy behind him.

MR. GRATTAN.

REPLIED particularly to several of the charges made upon him by Mr. Flood. But it was not the slander of the bad tongue of a bad character that could defame him. He maintained his reputation in public and in private life. No man, who was not himself dishonoured, could say he ever deceived him; no country had ever called him a cheat. But he could suppose a man of different character, a man, not now in that house, but who formerly might have been there. He would suppose it his constant practice to abuse every man who differed from him, and to betray every man who trusted him. He would suppose him active, and he would divide his life into three stages. In the first he was intemperate, in the second corrupt, and in the third seditious. Suppose him a great egotist, his honour equal to his oath, and he would stop him, and say, "Sir, your talents are not so great as your life is infamous. You were silent for years, and you were silent for money. When affairs of consequence to the nation were debating, you might be seen passing by these doors, like a guilty spirit, just waiting for the moment of putting the question, that you might drop in and give your venal vote. Or you might be seen hovering over the dome, like an ill-omened bird of night, with sepulchral notes, a cadaverous aspect, and a broken beak, ready to stoop and pounce upon your prey. You can be trusted by no man. The people cannot trust you; the ministers cannot trust you. You deal out the most impartial treachery to both. You tell the nation it is ruined by other men, while it is

sold by you. You fled from the embargo; you fled from the sugar bill; you fled from the mutiny bill. I therefore tell you, in the face of your country, before all the world, and to your beard, you are not an honest man."

MR. SHERIDAN.

MUCH, he said, had been argued relative to the extent and spirit of this proposition. The event and conclusion of those arguments on both sides of the house warranted him now in asserting that it went in the fullest extent to a complete resumption of the right of external legislation so lately exercised, but so solemnly renounced, by Great Britain over Ireland. The settlement was final and perpetual. The contracting parties being presumed to act with perfect foresight of the consequence of their irrevocable engagements, neither party could recede from any of the stipulations without breach of faith. Such an infraction in the stronger power would be an act of despotism and oppression, and in the weaker would authorise all the rigour of coercion. It was a miserable sophistry to contend, that, as the ceremony was permitted to Ireland of placing our commercial laws upon their own statute-book, it was the Irish and not the British statute that bound the people of Ireland. For his part, if he were a member of that parliament, he should prefer the measure of meeting the immediate operation of the navigation laws by one decisive vote, and should choose to avoid the mockery of pronouncing, without deliberation, and deciding where there was no power to dissent. Where fetters were to be worn, it

was a wretched ambition to contend for the distinction of fastening our own shackles.

Mr. Sheridan adverted to the situation in which the two kingdoms stood with respect to each other, in consequence of the alterations that had taken place within a few years past. It had been solemnly stipulated between them, "that the right claimed by Ireland to be bound in all cases whatever only by laws made by the king, lords, and commons of Ireland, should never more be questioned or questionable." Mr. Fox and the administration of that day were blamed by Mr. Pitt, for permitting Ireland to assert the freedom of her constitution unconditionally, and without reserving to Great Britain a necessary controul over her trade and navigation. Fortunately for the peace and future union of the kingdoms, no such miserable and narrow policy had then entered into the minds of our statesmen. They had disdained the injustice of bargaining with Ireland on such a subject, nor would Ireland have listened to them if they had attempted it. She had not applied to purchase a constitution, and if a tribute had been demanded in return for what was then granted, those patriotic spirits who were at that time leading the oppressed people of that insulted country to the attainment of their just rights, would have pointed to other modes of acquiring them, and would have called to them in the words of the old Roman, to "take up arms, and to purchase their liberties, not with gold, but with the sword."

Mr. Sheridan enlarged upon the period and the manner in which the new claim contained in the fourth proposition had been brought forward. It was so far from being any part of the offer made by Ireland, that it had not even been hinted at or alluded to in the Irish parliament. It had never once been glanced at by Mr. Orde. It had not been mentioned in the speech at the opening of the session; it was not to be found in the report of the committee of council; and Mr. Pitt himself, in opening the business to that house, had not utter-

ed a word to show that this proposition was essential to the settlement proposed between the two kingdoms. Ireland was treacherously encouraged to demand a benefit, and then a price was exacted of greater value than any favour Britain had to bestow. It was therefore for the consideration of that house, whether this country should insidiously, collaterally, and by surprise, make a proposal, which would argue in her a repentance of the justice which she had done to Ireland, and which might for ever destroy all confidence in that country towards Great Britain. If the English government really thought it was essential to the good understanding and the common interests of the two kingdoms, that the power of legislating for particular objects should be lodged in one for the common benefit of both, it should have been distinctly so stated in the first overture made to the Irish parliament, as the basis of a permanent agreement. Instead of this, all had been delusion, trick, and fallacy. A new scheme of commercial arrangement was proposed to the Irish as a boon, and the surrender of their constitution was tacked to it as a mercantile regulation. Ireland, newly escaped from harsh trammels and severe discipline, was treated like a high mettled horse, hard to catch; and the Irish secretary was to return to the field, soothing and coaxing him with a sieve of provender in one hand, and a bridle in the other. But it was folly to believe that this political jockeyship could ever succeed. It was not enough to say that the parliament of Ireland ought not, and dared not, to agree to it. They had not the powers to accede to it. It would be a concession beyond the limits of their trust. The Irish nation would spurn at the bondage to which their degenerate representatives had no authority to engage their submission.

With regard to the state of Ireland, Mr. Sheridan said it was ridiculous to argue that the circumstances of that country called for or justified the present arrangement. Two or three acts were cited by the committe of coun-

cil, by which Ireland had imposed duties on some articles of British export; and when we considered the perpetual shifting of government there, and that every three months wafted over a new lord lieutenant, the only wonder was, that the principles of connection between the two countries had been so steadily adhered to. The clamour and riots of Dublin had been restored to as pretences for this arrangement. That sort of argument had already been sufficiently reprobated. But if they must attend to clamour, let the meaning of it, where there was any, be preferred to the noise. Had the Irish clamoured for the present settlement, or for any one article contained in it? Had they been loud in demanding access to the British market, in preference to protecting duties? Had they requested to be tried for ever to the British monopoly in the West Indies, and to have the price of the commodities of those colonies increased to them? Had they complained that fortune had offered them the trade of the United States of America, without condition or restraint? Had they vehemently expressed their apprehensions, that the rich commerce of the East would speedily be opened to them, if effectual measures were not taken to prevent it? Had they regretted that they were burthened with a surplus of the hereditary revenue? Had they called out that they were tired of their legislative independence, and intreated to be relieved from it? But the fallacy of such allegations stood in no need of refutation. The true spring and incentive to this complicated business evidently lurked in the fourth pernicious resolution, the tendency of which was of a piece with their whole system of government in Ireland, with the arbitrary and illegal proceedings of their agents in the business of attachments, with their attacks on the liberty of the press; measures, arguing a mind hostile to the true principles of a constitutional freedom, and justifying the presumption, that similar steps would be pursued in this country if they could be practised with equal impunity.

And by what argument was it that Ireland was to be induced to relinquish her rights? could it be stated that she had ever once exercised them to the injury of this country? No; but it was possible she might do so. And was it not equally possible that Britain might abuse the trust, and employ this concession to the detriment of Ireland? It was argued that the malice of party, the interested views of mercantile speculation, or the folly of narrow politicians, might at some time or other lead Ireland, even at the expence of her interest, to measures which might embarrass the trade and navigation of the empire. And had Ireland nothing to apprehend from party, from mercantile avarice, or from blind and narrow policy? Two hundred thousand manufacturers, if they were to believe the chancellor of the exchequer, were at that moment, and in that individual business, either influenced by the suggestions of faction, or blinded by prejudice and selfishness. Mr. Sheridan produced various instances in which Britain might employ the power of legislation for both countries to the oppression of Ireland. She might restrain the trade of the colonies to vessels of considerable burthen, and a proportional number of seamen. England had large ships and numerous crews, Ireland had neither. She might make it a condition, that no ship should clear out a cargo from the West Indies, unless she carried thither a stipulated quantity of some British manufacture, not to be obtained in Ireland.

Mr. Sheridan entered into a minute detail in order to prove, that in the system of the propositions every thing was sacrifice and surrender on the part of Ireland. But though he could not go with the manufacturers of this country to the extent of the evils which they apprehended, there was one point, however, in which he completely agreed with them, that the gain of Ireland must be the loss of England. Ireland, Mr. Sheridan said, must not endeavour to rise on the ruin of the trade of Great Britain. She must not aim to thrive avowedly

at the expence of the British manufacturer, however alluring the prospect. Not justice and generosity alone, but interest and policy would call upon her to desist from the attempt. Possibly at first she might find profit and advantage in the contest; but how was a great part of this advantage to be obtained? By means incompatible with the true spirit and principles of commercial prosperity: by a lax execution of her revenue laws; by the corrupt countenance of her legislature to such a conduct; by stealing her manufactures into this country; by passing those of foreign countries for her own; by obtaining a transfer of capital, and enticing over artists and workmen by false hopes, and ill-founded prospects. In short, by smuggling, by evading, by defrauding, by conniving, by deceiving. The profit earned by such means, would immediately and deeply injure the sister kingdom. But that would not long continue. The consequence would be, that even the name of Irishman would become odious and detestable to the commercial interests of Great Britain; and Ireland would soon be taught to know, while she was pressing her own advantage upon the present settlement, that she had by the same settlement surrendered in our hands the power of crippling her commerce, of chastising her presumption, and of reducing her to her former state of abject dependence.

Mr. Sheridan concluded with declaring that if he were a person of consideration in that kingdom, so far from encouraging the people to struggle for the British market, he should conceive it to be what he owed to the interest of his countrymen, earnestly to call upon them to turn away their eyes and thoughts from that object; to attempt no race with the British manufacturer; to shun as the greatest evil, the jealousies, the heart-burnings, and the destructive ill-will which would necessarily breed upon such a competition; circumstanced so peculiarly with respect to burthens as Great Britain was, and biassed by rooted habits of thinking upon this par-

ticular subject. He would endeavour to persuade them, by fair and gentle means, to increase the home consumption of the produce of their own industry; and by systematic and vigorous enterprise, to aim at a successful intercourse with every foreign port. There, if they met the British merchant, it would be a liberal emulation. There he could have no innovation or unfairness to complain of, and if successfully rivalled, he would be conscious that the increasing wealth of Ireland from such a source, might with truth be stated to be a fund for the general commerce of England, and an augmentation of the common defence of the empire. Thus Ireland might be addressed under her present circumstances. But let the settlement now proposed be once established, and what would be the answer? Would not the Irish merchant and manufacturer reply, "What you recommend to us is unreasonable and preposterous; we have bound ourselves for ever to the monopolies of Great Britain; we are crippled in our intercourse with the states of America; our dreams of being the emporium for the foreign countries of Europe, are become visionary and ridiculous; we have surrendered our constitution into the hands of the British parliament. For all this the British market is our compensation. Upon that we are compelled to fasten our mind; to that we must cling, and if Great Britain suffer by it, the mischief is of her own seeking, and the restrictions which force us to the contest, are of her own imposing." These would by the happy fruits of a plan, whose boasted object was to cement the union of the two countries in bonds of eternal amity and reciprocal affection!

MR. PITT.

Replied to Mr. Sheridan in a style considerably marked with invective. He charged that gentleman with inconsistency, and with having for many weeks concealed his intentions so effectually, as to leave it a doubt whether he were friendly or inimical to the proposed arrangement. But the conduct of Mr. Sheridan was not to be wondered at, when it was remembered how inconsistent all the measures of the party, of which he was the mouth, were in themselves, and how inconsistent the persons who composed that party were with each other. Still their pursuits, however various and contradictory, had one uniform tendency. Whether they reprobated on this day what they had approved on the preceding, or whether one individual differed from or coincided with the rest of his associates, still the effects of all their efforts, of the artful silence of one man, and the prolix declamations of another, were to be the same; to embarrass and confound the measures of administration, to embroil and disunite the affections of their fellow-subjects; to excite groundless alarms, and foment the most dangerous discontents. Mr. Pitt enlarged with some humour on the pains which gentlemen had taken to deprecate in their speeches any imputation of inflammatory or dangerous intentions. It was not for him to determine whether their intentions were really so bad as they seemed apprehensive they should appear. On the present occasion, however, he predicted they would have no occasion to exult. The proposition, which so much pains had been taken to wrest, instead of being insidious with

respect to Ireland, was a virtual recognition of her complete emancipation. With respect to the light in which the system would be regarded in that country, he would answer with the boldness which became him, and he would not scruple to say, that as far as probability would go on such an occasion, it certainly would be received with gratitude and joy. An enlightened and liberal nation would not suffer itself to become a dupe to the designs of a set of men, who having exerted all their industry for the space of five months in alarming every interest in this country against the original propositions, were now, with equal diligence employing the same violent methods for creating a similar opposition in Ireland, against the Modification applied by the British house of commons. Their conduct was not in reality dictated by a friendship to one country or to the other; but by a desire to embroil the legislatures of both, and to defeat a measure which was necessary to the public tranquillity and permanent welfare of the empire. To illustrate the spirit of the fourth proposition, Mr. Pitt referred to the negociations of states independent and unconnected with each other; and asserted, that provisions exactly similar to that in question were frequently adopted on such occasions. He instanced in the late treaty with France, in which that kingdom bound herself to publish certain edicts, as soon as other acts stipulated on her part were performed by this country; and he defied opposition to produce a single collection of treaties, in which there was not in almost every page, a contract of a similar tendency.

MR. FOX.

If Mr. Pitt employed invective on this occasion, Mr. Fox was roused in his reply to a language, perhaps more pointed, and scarcely less severe. In the personal and political character of the chancellor of the exchequer, there were many qualities and habits which had often surprised him, and which he believed confounded the speculations of every man who had ever much considered or analysed his disposition. But his conduct on that night had reduced all that was unaccountable, incoherent, and contradictory in his character in times past, to a mere nothing. He shone out in a new light, surpassing even himself, and leaving his hearers wrapt in amazement, uncertain whether most to wonder at the extraordinary speech they had heard, or the frontless confidence with which that speech had been delivered. Such a farrago of idle and arrogant declamation, uttered in any other place, or by any other person on the subject in question, would naturally have filled the hearers with astonishment; but spoken by that gentleman, within those walls, in the presence of men who were witnesses of all the proceedings of the business, it was an act of boldness, a species of parliamentary hardihood, not to be accounted for upon any known and received rules of common sense or common reason.

Mr. Fox remarked upon the vast disparity in the tone of temper, and the style of expression, exhibited by Mr. Pitt upon this occasion, from those which he had employed upon the first introduction of the twenty propositions. In that debate he had observed, that the *ampullæ* and the *sesquipedalia verba*, his magnificent terms, his verbose periods and bombastic sentiments,

were for once relinquished in exchange for a language and manners better accommodated to his disastrous condition. Then they saw that preposterous ambition, that gaudy pride and vaulting vanity, which glared beyond all the other features of Mr. Pitt, and which prompted him to look down with contempt upon his political coadjutors, melt away. Then they saw him descend to a curious and most affecting sympathy with the other supporters of the system, as well as into something like a modest and civil demeanour towards those who opposed it. But the change was transient and temporary. Mr. Pitt had relapsed into his favourite and darling habits. Nerved with new rancour, and impelled with fresh vehemence, he rushed blindly forward. Mr. Fox however inferred, from this conduct, that he was reduced to the last extremity. Finding it impossible to say one word in favour of his deformed and miserable system, he was obliged to throw out a series of invectives, and by exhibiting a list of charges—charges which at the moment he gave them utterance, he knew to be absolutely and entirely destitute of every vestige of truth, to engage the attention and divert the notice of the house from his own wretched and contemptible schemes.

Mr. Fox took notice of Mr. Pitt's having reflected on Mr. Sheridan for the length of his declamation. Such a charge came with peculiar ill grace from that gentleman, who, like himself, was under the necessity of troubling the house much oftener, and for a much longer time than might be agreeable. Grateful for the indulgence with which they were favoured, and thankful for the patience and politeness with which they were honoured, they should certainly be the last to condemn that, in which themselves were the greatest transgressors. Mr. Fox added, that if an almost uniform deviation from the immediate subject in discussion; if abandoning fair argument for illiberal declamation; if frequently quitting sound sense for indecent sarcasms, and preferring to rouse the passions and to inflame the prejudices of his auditory to convincing their understandings and

informing their judgments, tended to diminish the title of any member of that house to a more than common portion of its temper and endurance, he did not know any man who would have so ill founded a claim upon such favours as Mr. Pitt himself.

The charge, of shifting their ground and playing a double game, which Mr. Pitt had made upon the opposition, Mr. Fox, consider as particularly unguarded and unfortunate. He—he to talk of their shifting their ground! he, who had shifted his ground till in truth he had no ground to stand upon! he, who had assumed so many shapes, colours, and characters in the progress of this extraordinary undertaking! he, who had proclaimed determinations only to recede from them, and asserted principles only to renounce them! he, whose whole conduct from the first moment the system had been proposed, was one continued chain of tricks, quibbles, subterfuges, and tergiversations, uniform alone in contradiction and inconsistencies! he, who had played a double game with England, and a double game with Ireland, and juggled both nations by a train of unparalleled subtlety! Let the house reflect upon these circumstances, and then let them judge whether a grosser piece of insanity was ever heard of, than that the author of all this miserable foolery, should charge others with tergiversation and duplicity.

But it was not in retorting these silly charges that they rested their defence upon these points. It were indeed a hardship and injustice, that, because they combatted the defects of a new scheme, they should be liable to the charge of shifting their ground against an old one no longer the object of discussion. Mr. Fox added, that if it was true that ingratitude was the worst of sins, he could see no other light in which Mr. Pitt appeared, but that of the worst of sinners. What a pernicious scheme would this have been, unpurged by their amendments! and now what a return did he make them? But there were proud and sullen souls in the world, enveloped in a fastidious admiration of themselves, and

an austere and haughty contempt for the rest of the world; upon whom obligation had only the effect of enmity, and whose hatred was best secured by redeeming them from danger and dishonour.

Mr. Fox replied to the argument of Mr. Pitt from the case of treaties between sovereign states. In this case one state bound itself to do something defined and specific, when the other adopted some defined and specific measure. There was no condition of servitude and obedience, but a mutual agreement to accomplish something, understood and particularized, by common consent, and for their common advantage. To make the cases similar, an instance should be produced, which Mr. Fox affirmed could not be found in the history of mankind, where one independent state bound itself solemnly to do any thing undefined, unspecific, and uncertain, at the arbitrary demand of another. Mr. Fox concluded with repeating a sentiment, at which he had hinted in the former discussions of this business. He would not barter English commerce for Irish slavery. That was not the price he would pay, and that was not the thing he would purpose.

MR. CURRAN.

This celebrated pleader has been called by some, who probably intended it as a compliment, the Irish Erskine. I do not know what the effect of their manner may be, having never heard them; but this I know, that as to their *written* speeches, there is no comparison either with respect to brilliancy or solidity between Erskine's speeches and those of Curran. The speeches of the latter are also free from that affectation, or false glitter, which is the vice of Irish eloquence. Every Irish orator thinks himself bound to be a Burke. But according to the old axiom, no man is bound to do that which he cannot.

He said, the existence of British liberty was due to the unremitting vigilance with which it had been

guarded from encroachment. Every invasion with which it was threatened, by the folly of ministers or the usurpation of kings, had been constantly checked by a constitutional assertion of liberty. Such was *Magna Charta*; such were various statutes that had been made under the house of Lancaster; such the petition of rights, the bill of rights, the act of settlement, and the recent repeal of the sixth of George the First. No man could think that British liberty derived any authority from those statutes, or that acts of parliament could create constitutional rights. They were not free because *Magna Charta* had been enacted, but *Magna Charta* had been enacted because they were free.

Mr. Curran paid some compliments to Mr. Fox, who, though an Englishman on subjects of commerce, he believed was a member of the British empire on points of constitution. It was to this principle he attributed his indignation when the rights of juries were invaded, as well as the opposition which he gave to a bill, that must have endangered the constitution in England, by endangering it in Ireland. These sympathies were implanted in the heart of man for the preservation of liberty. It was the general and vigorous influx of them that had atchieved every thing glorious in the theatre of the world. It was this that adorned the defeat at Thermopylæ and the triumph of Marathon. It was this in America that combated with fleets and armies, and waded to freedom through slaughter and desolation. It was this that wafted the shouts of an emancipated empire across the wastes of the Atlantic, and roused Ireland from her lethargy; that sent her armies into the field, and crowned their illustrious leader with fame and victory.—Thank heaven, not a victory stained with blood, not a victory bathed in the tears of a mother, a sister, or a wife; not a victory hanging over the grave of a Warren or a Montgomery, and uncertain whether most to triumph in what she had gained, or to mourn over what she had lost.

Mr. Curran recommended the resolution to the late majority, as the only mode left for their vindication, as the only step by which they could prove that they would never have assented to the fourth proposition. The opportunity could never arrive again; the bill was at an end. The siege that was drawn round the constitution was raised, and the enemy was gone. *Juvat ire et Dorica castra;* and they might now go abroad without fear, and trace the dangers they had escaped. Here was drawn the line of circumvallation that cut them off for ever from the eastern world; and there the corresponding one that inclosed them from the west. He proceeded to pay several compliments to the individuals that had distinguished themselves on the popular side on this occasion. But he felt that he was leaving the question and the bounds of moderation. There was an ebullition in great excesses of joy, that almost bordered upon insanity. He besought the other side of the house not to throw a cloud on the general festivity, by a sullen refusal to join with them in the present resolution. Their adherence to the minister was useless now, and would expose them to the humiliating imputation of an attachment to men, rather than a discrimination of measures. The measure was gone down, the man only was floating. Perhaps they thought it decent to pay him a funeral compliment at his departure; he warned them, however, how they pressed too eagerly forward, since an inordinate desire upon the present occasion of the scarf or the cypress, might possibly make them rather late at the coronation.

MR. BEAUFOY.

The following is certainly a very able Speech.

On moving for the Consideration of the Corporation and Test Acts.

He proposed, in the first place, to state what were the exceptionable provisions of the law, and in the next place, to describe the periods in which those laws were made, and the circumstances with which they were attended. The corporation act declared, that no person should be elected into any municipal office, who should not, within one year before his election, have taken the sacrament according to the usage of the church of England. The test act required of every person, accepting a civil office or a commission in the army or navy, to take the sacrament within a limited time; and if, without thus qualifying himself, he continued to occupy any office, or hold any commission, he not only incurred a large pecuniary penalty, but was disabled from thenceforth for ever, from bringing any action in course of law, from prosecuting any suit in the courts of equity, from being the guardian of any child, or the executor of any deceased person, and from the receiving any legacy. If, then, said Mr. Beaufoy, the zeal of a dissenter for the service of his country, should have induced him to bear arms in her defence, and to hazzard his life in her cause, what return did she make to his patriotism? She stripped him of every right that was dear to the man, or honourable to the citizen. If any dissenter applied himself to the profession of a merchant, what was the language in which he was addressed by these laws:—"The town in which you live may have owed to you much of its pros-

perity; yet in the offices of that town, the management of its revenues, and the care of its public concerns, you shall have no participation—The kingdom itself is largely your debtor; you have extended her trade; you have added to her wealth; and in return for these benefactions, she excludes you from all offices and employments. Your integrity is unsuspected; your conduct is without blemish; yet the test act has fixed upon you the same stamp of dishonour, the same mark of rejection and infamy, which is annexed by law to the odious and atrocious crime of perjury."

Of the spirit of the corporation act a sufficient judgment would be made, if the house recollected, that a clause of this act had enabled the king, king Charles the Second, to displace or remove, by commissioners of his appointment, all officers and persons holding places, as they might deem it expedient. This clause of the bill was become obsolete; but it sufficiently marked the despotic and arbitrary spirit in which the bill had been formed. Such were the circumstances that marked the origin of the corporation act in the year 1661, and in the following year had produced the celebrated act of uniformity, in consequence of which two thousand ministers resigned their livings, and which narrowed, while it strongly discriminated, the inclosure of the established church. The first effects of this discrimination upon the members of the church were jealousy, eager suspicion, and determined ill will. But in proportion as experience afforded a surer ground for deciding on the conduct and principles of the dissenters, in proportion as their peaceful submission to laws of harshness and severity disclosed their attachment to the state, and as they were seen to reject those offers of liberal advantage, by which the court endeavoured to entice them to an alliance with the catholics; in that proportion the hostile feelings of the members of the established church diminished, and the house of commons, in particular, discovered towards them a disposition of benignity and kindness.

Such was the state of affairs in the year 1672, when the people were alarmed with the apprehension of a design to subvert the established religion. The prime minister, lord Clifford, and the king's brother, were avowed catholics; an army under catholic officers entered at the gates of London. In these alarming circumstances, the first panic induced the legislature to pass the law that bore the title of an act for preventing the dangers, which might happen from popish recusants, but which was better known by the name of the test act. The minister attempted to prevail on the dissenters to oppose the bill, the provisions of which were so worded as to extend to them. The dissenters admitted the force of the argument, but waved their right to its benefit; and one of the members of the city of London, himself a dissenter, declared on their behalf, that, in a time of public danger, they would not impede the progress of a bill which was thought essential to the safety of the kingdom, but would trust to the good faith, the justice, and humanity of parliament, that a further provision should be made for their relief. The lords and commons admitted without hesitation the equity of the claim. They considered the debt as a debt of honour, the payment of which could not be refused. Accordingly a bill for their relief was passed, and defeated by the sudden prorogation of parliament. A second bill was brought in with a view to the same object, and passed both houses, in consequence of this implied compact. But while it lay ready for the royal assent, king Charles the Second, who always delighted to obtain the most unwarrantable ends by the most despicable means, prevailed upon the clerk of the crown to steal the bill, and over-reach the parliament. But that relief, which neither the obvious equity of their claim, nor the countenance of his parliament could extort from Charles the Second, the magnanimity of William the Third was impatient to bestow; for, in one of his earliest speeches from the throne, he expressed his earnest hope, that such

alterations would be made in the laws as would leave room for the admission of all his protestant subjects who were willing to serve him. But it was well known, that during that reign the strongest party in parliament was not the party of the court. They resented the advancement of William to the throne; they resolved to disturb his enjoyment of a possession from which they could not exclude him, and opposed with violence the measures he was known to patronize. Some men however there were, and of the foremost rank for greatness of character, even in that extraordinary æra, who supported with unanswerable reasons the sentiments of their sovereign, as appeared from a protest of the lords upon this subject in the year 1688. Upon another occasion of a still later date, a conference between the two houses upon the bill of occasional conformity, the peers—not a few individuals of that assembly, but the whole house,—expressed in language still more emphatical, their abhorrence of the injustice of the test act.

Mr. Beaufoy proceeded to enquire, whether the public good, either political or religious, rendered it necessary, that the dissenters should be excluded from the service of the state. To show how very unnecessary was this exclusion, it was sufficient in his own opinion to remark, that to the higher trust of legislative authority the dissenters were admitted without hesitation or reserve. From the members of that house, from the members of the house of peers, no religious test was required. Was then the taking the sacrament unnecessary in the legislators of the kingdom, and could it be requisite in a tide-waiter or an exciseman? He had heard of an idle opinion, that there was something of a republican tendency, of an antimonarchical bias, in the very doctrines of the presbyterian church. From so vague an assertion he appealed to experience. Were the Scots suspected of an indifference to monarchy? He had heard them taxed with a predilection for those maxims of policy which were the most favourable to power;

but of levelling principles, of republican attachments, he had never heard them accused. The English dissenters since the revolution, which had first given this country a constitution, had uniformly acted on principles the most beneficial, and had constantly proved themselves the ardent supporters and the faithful adherents of that system of monarchy which was established by law.

Would then the repeal of the test act prove injurious to the established church? That church, it was said, ought by all means to be supported; and God forbid that it should be destroyed, or that he should advise a measure injurious to its safety. If the aim of the dissenters had been to attack the rights of others, and not to recover their own, they would not have chosen a member of the church of England for their advocate, nor would he have accepted such a trust. The suggested repeal was not the commencement of a new plan, but the completion of that wise system of toleration, which in part had long since been adopted. The establishment of the church of England consisted in her tithes, her prebends, her deaneries, and her bishoprics. These constituted her establishment before the test act had an existence; and they would equally constitute it if it were repealed. In Scotland, no such law ever had a being; and had Scotland no established church? In Ireland, the relief which was now solicited for the Protestant dissenters, was granted seven years ago; and was the church of Ireland destroyed? In Holland, in Russia, in Prussia, in Hanover, no traces of such a test were to be found. In the dominions of the emperor, all civil disqualifications on account of religious opinions were abolished. In France, a similar relief was granted by the edict of Nantes, and that edict, it was reported, was about to be revived. Mr. Beaufoy added, that the repeal of the test act, so far from being pernicious to the established church, would be salutary. The different classes of dissenters had no general interest, no bond of

union, but that reproachful exclusion from public employments which was common to them all.

If he were asked, If you abolish the test of the sacrament, what new test will you establish in its room? His answer was, that of the abjuration oath, and of the declaration, which condemned an essential part of the Romish creed. The first could not be taken by the deist, the Jew, or the professor of any religion but the Christian; the last could not be taken by the catholic. If he were farther asked, If justice be the principle upon which you decide, shall not the catholics enjoy those common privileges of citizenship, which you describe as the unquestionable right of all? He would answer without hesitation, If the catholics could prove, that though they were of the church of Rome, they were not of the court of Rome; if they could give a sufficient pledge of loyalty to the sovereign and attachment to the laws; in questions which they were not now called upon to decide, and which therefore he did not mean to discuss, he should think they ought to be admitted to the civil and military service of the state. Mr. Beaufoy strengthened his argument by an allusion to the situation and character of Mr. Howard. He, upon whom every kingdom in Europe, England excepted, would gladly confer, at least the common privileges of a citizen, and whom the proudest nation might be happy to call her own, was incapable of legal admission into any office in this country. The consequence was, that, his public spirit having led him a few years since to brave the penalties of the law, and to serve in a troublesome and expensive civil employment, the denunciations of the test act were still hanging over him; and Mr. Beaufoy feared that even now, on his return to his native country, amidst the plaudits of an admiring world, it was in the power of any desperate informer, who was willing to take that road to wealth and damnation which the legislature had pointed out and recommended to his choice, to prosecute him to conviction, and to bring upon him those

dreadful penalties, which constituted the punishment of an outlaw.

Mr. Beaufoy proceeded to observe, that there were two other bodies of men, who were injured by those provisions of the law, of which he proposed the repeal. The first of these was composed of all the adherents of the established church of Scotland. By the test and corporation acts, no native of Scotland who was of the established church in that country, could be admitted to any office in England, or could be employed in the army or the navy in any part of Great Britain, unless he would publicly profess a religion different from his own. Englishmen residing in Scotland were entitled to all the privileges of Scots, and had possessed, without this disgraceful stipulation, the highest offices in that country. Why then should the naval or military service of the united kingdoms be fettered with English restraints? Or why should English conditions be annexed to the possession of a British office? He had heard it said, from a confusion of ideas that was scarcely credible, that to grant a remission in favour of Scotland of the test and corporation acts, would be a breach of the union: an opinion, which supposed that, because by the articles of the union nothing could be taken from Scotland but what was then stipulated, therefore nothing could be given. He had proved, that the government and discipline of the church of England derived no additional security from these acts, whereas the act which related to the patronage of the church of Scotland, affected its discipline; and yet had not been considered as any breach of the articles of union. The same may be said of the subsequent act, which gave a complete toleration to episcopal dissenters in that country.

Another body of men who were aggrieved by the laws in question [illegible] the [illegible]ntious ministers of the chu[illegible]ir function, by [illegible]njoin- [illegible] of

God, all slanderers of his word, and persons of a profligate life; yet to those very persons, if they demanded it as a qualification, they were compelled by the test act to administer the sacrament. If there were any thing serious in religion; if the doctrines of the church of England were not a mere mockery of the human understanding; if to talk of peace of mind here and of eternal consequences hereafter, were not the idle babbling of a weak and childish superstition; then must it necessarily follow, that no pretexts of state policy could justify this enormous profanation, this monstrous attempt, as irrational as it was impious, to strengthen the church of England by the debasement of the church of Christ. Mr. Beaufoy would have thought it not unbecoming the bishops, to have solicited the removal of this scandal from the church. But let the requisition come from what quarter it might, sure he was, that a compliance with it belonged to that house as a duty: for whatever tended to the debasement of religion, diminished political authority, and weakened the sanctions of civil discipline.

MR. SHERIDAN.

On India Affairs.

He began with animadverting upon some incidental circumstances which had recently occurred. He particularly dwelt with great indignation upon what he styled, the low and artful stratagem, which had just been practised, of delivering to the members and others, in this last period of parliamentary enquiry, a printed paper, bearing the signature of Warren Hastings, and which he was to consider as a second defence against the charge

which he was now to bring forward. Mr. Sheridan observed, that it had been insinuated by some persons, that parliament was mispending its time in attending to this subject, at a period when they might be more usefully employed; when a commercial treaty with France had just been concluded, and there were other matters depending of immediate moment, which were sufficient to engross their attention. Was parliament mispending its time by enquiring into the oppressions practised upon millions of unfortunate persons in India, and endeavouring to bring to exemplary and condign punishment the daring delinquent who had been guilty of the most flagrant acts of enormous tyranny and rapacious peculation? Mr. Sheridan said, that parliament had always shown its peculiar detestation of that novel and base sophism in the principles of judicial enquiry, that crimes might be compounded; that the guilt of Mr. Hastings was to be balanced by his successes, and that fortunate events were a full and complete set-off against a system of oppression, corruption, breach of faith, peculation, and treachery. The conduct of the house of commons in this respect, during the preceding year, had done them immortal honour, and proved to the world, that however degenerate an example some of the British subjects had exhibited in India, the people of England collectively, speaking and acting by their representatives, felt as men should feel on such an occasion. They had asserted that there were acts that no political necessity could warrant; and that amidst flagrancies of such an inexpiable description, was the treatment of Cheit Sing. They had declared, that the man who brought the charges was no false accuser; that he was not moved by envy, malice, or any unworthy motives, or to blacken a spotless character, but that he was the indefatigable, the persevering [illegible] strength the successful champion of oppressed [illegible], against their tyrannical oppressor. They had proved themselves superior to the presumptuous pretensions that were advanced in favour of this pillar of India,

this corner-stone of our strength in the East, this talisman of the British territories in Asia, whose character was said to be above censure, and whose conduct was not within the reach of suspicion.

Mr. Sheridan stated the present charge respecting the begums of Oude, as replete with criminality of the blackest dye; with tyranny the most vile and premeditated; with corruption the most open and shameless; with oppression the most severe and grinding, and with cruelty the most hard and unparalleled. He professed to God, that he felt in his own bosom the strongest personal conviction on the present subject. It was upon that conviction, that he believed the conduct of Mr. Hastings in regard to the nabob of Oude, and to the begums, comprehended in it every species of human offence. He had proved himself guilty of rapacity at once violent and insatiable; of treachery cool and premeditated; of oppression useless and unprovoked; of breach of faith unwarrantable and base; of cruelty unmanly and unmerciful. These were the crimes, of which in his soul and his conscience he arraigned Mr. Hastings, and of which he had the confidence to say he should convict him. He was far from meaning to rest the charge upon assertion, or upon the warm expressions which the impulse of wounded feelings might produce. He would establish every part of the charge by the most unanswerable proof, and the most unquestionable evidence. He would support every fact by a testimony, which few would venture to contradict—that of Mr. Hastings himself. As there were persons ready to stand up his advocates, he challenged them to watch him; to watch if he advanced one inch of assertion, for which he had not solid ground; for he trusted nothing to declamation. He desired credit for no fact which he did not prove, which he did not demonstrate beyond the possibility of refutation. He should not desert the clear and invincible ground of truth through one particle of his allegations; while, in the defence of Mr. Hastings,

on the contrary, not one single circumstance was stated which had its foundation in truth.

It was there endeavoured to be proved, that the treasures of the begums were not private property, but that they belonged of right to the nabob. To establish this, various steps were related, which were taken by Mr. Bristow in the year 1775 and 1776, to procure from the begums assistance to the nabob; not one of which steps, as stated by Mr. Hastings, was true. It must be remembered, that at that period the begums did not merely desire, but expressly stipulated, that of the 300,000l. promised, 110,000l. should be paid in sundry articles of manufacture. Was it not obvious, that the sale of goods in this case, which had been brought by Mr. Hastings as an apology for the exposition of their pilfered goods to public auction in 1781, far from partaking of the nature of an act of plunder, was an extension of relief, indulgence, and accommodation? Mr. Hastings alledged the principles of the Mahometan law in mitigation of his severities; as if he meant to insinuate, that there was something in Mahometanism, which rendered it impious in a son not to plunder his mother. The minutes of council in the year 1775 established an opinion, that the women on the death of their husbands were entitled by the Mahometan law only to the property within the zenana or harem where they lived. The opinion was decisive: the resident used no threats; military compulsion was not so much as menaced; the disputed property was given up by the begums, and the farther treasure which was within the zenana was confessedly their own. A treaty had even been signed by the nabob, and ratified by Mr. Bristow, in the nature of a guarantee, by which it was stipulated, that, on their paying 300,000l, they should be freed from all farther application. Was this transaction of a nature calculated to prove that the right to the treasure of the begums was vested in the nabob? If the Mahometan law had even given such a right, was not that right ex-

cluded by the treaty? Mr. Sheridan said, that even in the year 1775, the princesses of Oude had entertained a reliance upon the protection of the British government; and to prove this he quoted a letter of that date from the begum, the mother of the nabob, to Mr. Hastings, in which she observed, "If it is your pleasure, that the mother of the late nabob, myself, his other women, and his infant children, should be reduced to a state of dishonour and distress, we must submit. But if, on the contrary, you call to mind the friendship of the late blessed nabob, you will exert yourself effectually in favour of us who are helpless."

Mr. Sheridan proceeded to examine the allegations which had been employed as the immediate pretenses for seizing the treasure of the begums. It was said that they had given disturbance at all times to the government of the nabob; that they had long manifested a spirit hostile to his and to the English government; that they had excited the zemidars to revolt; and that they had excited and were accessory to the insurrection at Benares. Each of these allegations was sufficiently disproved by Mr. Hastings himself, who made it appear, that on the contrary they had particularly distinguished themselves by their friendship for the English, and by the various good offices which they rendered to the government. Mr. Hastings left Calcutta in 1781, and proceeded to Lucknow, as he said himself, with two great objects in his mind, Benares and Oude. What was the nature of these boasted resources? They resembled the equitable alternative of a highwayman, who, in going forth in the evening, was held in suspence which of his resources to prefer, Bagshot or Hounslow. In such a state of generous irresolution did Mr. Hastings proceed to Benares and Oude. At Benares he failed in his pecuniary object. Then, and not till then,—not on account of any ancient enmities shown by the begums; not in resentment for any old disturbances, but because he had failed in one place, and had but two in

prospect,—did he conceive the base expedient of plundering these aged women. He had no pretence, he had no excuse; he had nothing but the arrogant and obstinate determination to govern India by his own corrupt will, to plead for his conduct. Inflamed by disappointment in his first project, he hastened to the fortress of Chunar, to Meditate the more atrocious design of instigating a son against his mother, of sacrificing female dignity and distress to parricide and plunder. At Chunar was that infamous treaty concerted, in which, among other articles, Mr. Hastings had stipulated with one whom he called an independent prince, "That, as great distress had arisen to the nabob's government from the military power and dominion assumed by the jaghiredars, he be permitted to resume such of their lands as he may deem to be necessary."

No sooner was this foundation of iniquity established, in violation of the pledged faith and solemn guarantee of the British government, no sooner had Mr. Hastings determined to invade the substance of justice than he resolved to avail himself of her judicial forms; and accordingly dispatched a messenger for the chief justice of India, to assist him in perpetrating the violations he had projected. Sir Elijah Impey being arrived, Mr. Hastings with much art proposed a question of opinion, involving an unsubstantiated fact, in order to obtain a surreptitious approbation of the measure he had predetermined to adopt. "The begums being in actual rebellion, might not the nabob confiscate their property?" "Most undoubtedly," was the ready answer of the friendly judge. Not a syllable of enquiry intervened as to the existence of the imputed rebellion; not a moment's pause as to the ill purposes to which the decision of a chief justice might be perverted. It was not in the office of a friend, to mix the grave caution and cold circumspection of a judge with an opinion taken in such a law circumstances; and sir Elijah had previously declared, that he gave his advice, not as a judge, but as a friend:

a character which he equally preferred in the strange office which he undertook, of collecting justifying affidavits on the subject of Benares. Mr. Sheridan said, it was curious to reflect on the whole of sir Elijah's circuit at that perilous time. Sir Elijah had stated his desire of relaxing from the fatigues of office, and unbending his mind in a party of health and pleasure: yet wisely apprehending, that too sudden relaxation might defeat its object, he had contrived to mix some concerns of business with his amusements. In his little airing of nine hundred miles, great part of which he travelled post, escorted by an army, he had selected those very situations where insurrection subsisted, and rebellion was threatened; and had not only delivered his deep and curious researches into the laws of nations and treaties, in the capacity of the Oriental Grotius, whom Mr. Hastings was to study, but also appeared in the humbler and more practical situation of a collector of *ex parte* evidence. In the former quality, his opinion was the premature sanction for the plundering the begums; in the latter character, he became the posthumous supporter of the expulsion and pillage of the Raja Cheit Sing. Acting on an unproved fact, on a position as ideal as a datum of the duke of Richmond, he had not hesitated in the first instance to lend his authority to an unlimited persecution. In the latter he did not disdain to scud about India, like an itinerant informer, with a pedlar's pack of garbled evidence and surreptitious affidavits. With a generous oblivion of duty and honour, with a proud sense of having authorised all future rapacity, and sanctioned all past oppression, this friendly judge proceeded on his circuit of health and ease. While the governor-general issued his orders to plunder the begums of their treasure, sir Elijah pursued his progress, and explored a country, that presented a speaking picture of hunger and nakedness, in quest of objects best suited to his feelings; in anxious search of calamities most akin to his invalid imagination. Thus, at the same

moment that the sword of government was turned to an assassin's dagger, the pure ermine of justice was stained and soiled with the basest contamination. Such were the circumstances, under which Mr. Hastings completed the treaty of Chunar; a treaty, which might challenge all the treaties that ever existed, for containing in the smallest compass the most extensive treachery.

Mr. Hastings did not consent to that treaty, till he had received from the nabob a present, or rather a bribe, of 100,000. The circumstances of this present, Mr. Sheridan said, were as extraordinary as the present itself. Four months afterwards, and not till then, Mr. Hastings communicated it to the company, at the same time observing, that "the present was of a magnitude not to be concealed." Mr. Sheridan averred, that the whole transaction had its rise in a principle of rank corruption. And what was the consideration for this extraordinary bribe? No less than the withdrawing from Oude, not only all the Englishmen in official situations, but the whole of the English army, and that at the very moment when he had himself stated the whole country of Oude to be in open rebellion. At the very moment that he pocketed the extorted spoils of the nabob, he said to the English gentlemen, with his usual grave hypocrisy and cant, "Go, you oppressive rascals! Go from this worthy unhappy man, whom you have plundered, and leave him to my protection! You have robbed him, you have plundered him, you have taken advantage of his accumulated distresses. But, please God, he shall in future be at rest, for I have promised him that he shall never see the face of an Englishman again." This however was the only part of the treaty, that he even affected to fulfil. In all its other articles, we learn from himself, that at the very moment that he made it he meant to deceive the nabob. Accordingly, he advised the general instead of the partial resumption of the jaghires, for the express purpose of defeating the first views of that prince; and, instead of giving instance and unqualified effect to all the articles

of the treaty, he perpetually qualified, explained, and varied them with new diminutions and reservations. Mr. Sheridan called upon his hearers to say, if there were any theory in Machiavel, any treachery upon record, any cold Italian fraud, which could in any degree be put in comparison with the disgusting hypocrisy and unequalled baseness, which Mr. Hastings had shown upon this occasion?

He recollected to have heard it advanced by some of those admirers of Mr. Hastings, who were not so implicit as to give unqualified applause to his crimes, that they found an apology for the atrocity of them in the greatness of his mind. To estimate the solidity of such a defence, it was sufficient merely to consider in what it was, that this prepossessing distinction, this captivating characteristic consisted. Was it not solely to be traced in great actions directed to great ends? In them only were we to search for true magnanimity; to them only could we affix the splendour and the honours of true greatness. There was indeed another species of greatness, which displayed itself in boldly conceiving a bad measure, and undauntedly pursuing it to its accomplishment. Had Mr. Hastings the merit of exhibiting either of these? Mr. Sheridan saw nothing great, nothing magnanimous, nothing open, nothing direct in his measures or his mind. On the contrary, he pursued the worst objects by the worst means. His course was an eternal deviation from rectitude. At one time he tyrannized over the will, and at another time deluded the understanding. He was by turns a Dionysius and a Scapin. As well might the writhing obliquy of the serpent be compared to the direct path of the arrow, as the duplicity of Mr. Hastings's ambition to the simple steadiness of genuine magnanimity. In his mind all was shuffling, ambiguous, dark, insidious, and little. Nothing simple, nothing unmixed; all affected plainness, and actual dissimulation. He was an heterogeneous mass of contradictory qualities, with nothing great but his crimes, and

those contrasted by the littleness of his motives; which at once denoted his profligacy and his meanness, and marked him for a traitor and a juggler. In his style of writing, Mr. Sheridan perceived the same mixture of vicious contrarieties. The most grovelling ideas he conveyed in the most inflated language, giving mock consequence to low cavils, and uttering quibbles in heroics; so that his compositions disgusted the taste of the understanding, as much as his actions excited the abhorrence of the soul. Mr. Sheridan traced the same character through almost every department of his government. Alike in the military and the political line, we might observe auctioneering ambassadors and trading generals. We saw a revolution brought about by an affidavit; an army employed in executing an arrest; a town besieged on a note of hand; and a prince dethroned for the balance of an account. Thus it was, that a government was exhibited, uniting the mock majesty of a bloody sceptre, and the little traffic of a merchant's counting-house; wielding a truncheon with one hand, and picking a pocket with the other. From the facts he had stated, Mr. Sheridan inferred, that the begums had not given disturbance to the government, that they had not excited the zemidars to revolt, and that they were not concerned in the insurrection of Benares. Their treasures were their treason; and Asoph ul Dowla had thought like an unwise prince, when he blamed his father for leaving him so little wealth. His father had acted with true policy, in leaving his son with no temptations about him to excite acts of violence from the rapacious. He cloathed him with poverty as with a shield, and armed him with necessity as with a sword

Mr. Sheridan proceeded to examine a farther apology which Mr. Hastings had suggested for his conduct. "The begums had resisted the resumption of the jaghires." If they had done so, they would have been guilty of no crime; but the contrary to this was the fact. Could any thing in the mean time be more absurd than

the very idea of such an apology? Mr. Hastings, when he was returned to Calcutta, stated the resistance of the begums to the resumption in January 1782, as the ground for confiscating their treasures in November 1781. The begums were by their condition, their age, and their infirmities, almost the only two souls in India, who could not have thought of distressing that government from which alone they could hope for protection; and who could not entertain a design so absurd, as to depose the reigning prince, who was their nearest relation. Perhaps, indeed, it would be objected to him as improper, to infer, because there was no motive for the offences imputed to these women, that of necessary consequence these imputations were false. The conduct of Mr. Hastings sufficiently evinced, that there was such a crime as wanton, unprovoked wickedness. But, as to the immediate case, it would appear from the most incontrovertible testimony, that insurrections, such as those which had been cited, had constantly taken place in Oude, and that reasons but too natural might be assigned for them at the period in question. To ascribe them to the begums was wandering even beyond the improbabilities of fiction. It would not be more absurd to affirm, that famine would not have pinched, nor thirst have parched, nor extermination have depopulated, but for the interference of these old women. But Mr. Hastings added, "that they complained of the injustice that was done them." God of heaven! had they not a right to complain! After the violation of a solemn treaty, plundered of their property, and on the eve of the last extremity of misery, were they to be deprived of the ultimate resource of impotent wretchedness, lamentation, and regret? Was it a crime, that they should crowd together in fluttering trepidation, like a flock of resistless birds on seeing the felon kite, who, having darted at one devoted bird and missed his aim, singled out a new object, and was springing on his prey, with redoubled vigour in his wing, and keener vengeance in his eye?

Mr. Sheridan now entered into a discussion of the affidavits, by which the rebellion of the begums was endeavoured to be authenticated. In mentioning that of Mr. Middleton he exclaimed,—The God of Justice forbid, that any man in this house should make up his mind to accuse Mr. Hastings, upon the ground which Mr. Middleton took for condemning the begums; or that a verdict of guilty for the most trivial misdemeanours should be found against the poorest wretch that ever had existence, upon imputations so futile and absurd! Major Williams, among the strange reports that filled these affidavits, stated that he heard, that fifty British troops, watching two hundred prisoners, had been surrounded by six thousand of the enemy, and relieved by the approach of nine men. But the attention of the house was still more strongly claimed by the affidavit of captain Gordon, who had displayed the gratefulness of his spirit and temper in the most extraordinary manner. Captain Gordon was just before, not merely released from danger, but preserved from imminent death, by the very person whose accuser he had thought fit to become. And yet, incredible as it might appear, at the expiration of two little days from his deliverance, he had deposed against the distressed and unfortunate woman, to whom he owed his existence; and upon hearsay evidence, accused her of crimes and rebellion. Mr. Sheridan desired here to pause for a moment, and particularly to address himself to one description of persons, those of the learned profession, within those walls. Of sir Lloyd Kenyon, the expected successor of lord Mansfield, the brighest luminary that ever dignified the profession, he would ask calmly to reflect on these extraordinary depositions, and solemnly to declare, whether the mass of affidavits taken at Lucknow would be admitted by him as evidence, to convict the lowest object in this country. If he said it would, he declared to God he would sit down, and not add a syllable more to the too long trespass which he had made upon the patience of the house.

Mr. Sheridan alluded to Mr. Hastings's having once remarked, that a mind touched with superstition, might have contemplated the fate of the Rohillas with peculiar impressions. If the mind of Mr. Hastings were susceptible of the images of superstition, if his fancy could suffer any disturbance, he might indeed feel extraordinary emotions in contemplating the scenes Mr. Sheridan had been endeavouring to describe. He might image the proud spirit of Suja ul Dowla, looking down upon the ruin and devastation of his family; beholding that palace, which Mr. Hastings had first wrested from his hand, and afterwards restored, plundered by the very army with which he had vanquished the Marhattas; that plunder, which he had ravished from the Rohillas, seized and confiscated by his perfidious ally; that Middleton, who had been engaged in managing the previous violations, most busy to perpetrate the last; that Hastings, whom on his death bed he had left the guardian of his wife, his mother, and his family, turning those dear relations, the objects of his solemn trust, forth to the merciless seasons, and to a more merciless soldiery. A mind, touched with superstition, must indeed have cherished such a contemplation with peculiar impressions. That Mr. Hastings was regularly acquainted with all the enormities committed on the begums, was proved by the clearest evidence. It was true, that Mr. Middleton was rebuked for not being more exact; but the exactness required of him afforded no apology for Mr. Hastings's feelings. He did not give an account of the number of groans which were heaved, of the quantity of tears which were shed, of the weight of the fetters, or the depth of the dungeons. Mr. Sheridan observed, that the governor general had shrunk from the enquiry ordered by the court of directors, under a new and pompous doctrine, "That the majesty of justice was to be approached with supplication, and was not to degrade itself by hunting for crimes." He had forgotten, it seemed, the infamous employment to which he had

appointed an English chief justice, to hunt for criminal charges against innocent, defenceless women. But Mr. Sheridan trusted, that the house would vindicate the insulted character of justice; that they would exhibit its true quality, essence, and purposes; that they would demonstrate it to be, in the case of Mr. Hastings, active, inquisitive, and avenging.

Mr. Sheridan remarked, that he had heard of factions and parties in that house, and knew that they existed. There was scarcely a subject, upon which they were not broken and divided into sects. The prerogatives of the crown found their advocates among the representatives of the people. The privileges of the people found opponents in the house of commons itself. Habits, connections, parties, all led to a diversity of opinion. But, when inhumanity presented itself to their observation, it found no division among them. They attacked it as their common enemy, and conceiving that the character of the country was involved in their zeal for its ruin, they quitted not their undertaking, till it was completely overthrown. It was not given to that house, to behold the objects of their compassion and benevolence in the present extensive enquiry, as it was to the officers who relieved them, and who so feelingly described the extatic emotions of gratitude in the instant of deliverance. They could not behold the workings of their hearts, the quivering lips, the trickling tears, the loud, yet tremulous joys of the millions, whom their vote of that night would for ever save from the cruelty of corrupted power. But, though they could not directly see the effect, was not the true enjoyment of their benevolence increased, by its being conferred unseen? Would not the omnipotence of Britain be demonstrated, to the wonder of nations, by stretching its mighty arm across the deep, and saving by its fiat distant millions from destruction? And would the blessings of the people thus saved dissipate in empty air? No. If he might dare to use the figure, they

would constitute heaven itself their proxy, to receive for them the blessings of their pious thanksgiving, and the prayers their gratitude would dictate.

MR. PITT.

On the Regency.

He acknowledged, that in his conception any abstract or theoretical question would be wholly unnecessary, and the discussion of it altogether unproductive of utility and advantage. But he denied that the question of right which he now offered to the house of commons was of that nature. It was, on the contrary, an enquiry that stood in the way of all their subsequent proceedings. They were free neither to deliberate nor to decide, while the doubt of an existing right hung over their heads; they could not speak intelligibly, or to any purpose, till they knew their proper character, and whether they were exercising their own privileges for the safety of the crown and the welfare of the people, or were usurping that which had never belonged to them. Mr. Pitt asserted the utility of the report of the committee, and entered into an investigation of the precedents that had been adduced. They fell under the heads of infancy, absence, and indisposition. In the minorities of king Edward the Third and king Richard the Second, Parliament, whether wisely or weakly was not now the question, had appointed councils of regency to exercise the royal authority. The third instance occurred in the infancy of king Henry the Sixth. The duke of Gloucester, the king's uncle, had at that time called together the parliament, one of the first of whose measures was to ratify the manner in which they had been convoked, not considering the sanction of the duke as a sufficient autho-

rity. The same nobleman had gone farther; he had claimed the regency, and applied to parliament to recognize his right. What was the answer? They asserted, that neither his birth nor the will of the late monarch gave him any power to exercise the royal authority. Having thus established their own privileges, they then declared the duke of Gloucester himself protector, and confided to him the person of their infant sovereign. Here then was an instance in which the claim of right had been directly advanced, and explicitly decided on by the authority of parliament. The next sort of precedents were those that were founded in the king's absence in foreign realms. These cases his adversaries had asserted to be clearly in their favour, and they appealed in a triumphant tone to the regencies of Lionel duke of Clarence, and of Edward the Black Prince, when a minor. Granting these cases to be as decisive as the advocates of the present novel doctrine could reasonably expect, what did they decide? Clearly the truth and certainty of the present resolutions. If a right to represent the king existed in the heir apparent, it must be a perfect, an entire right, a right that admitted of neither mode nor limitation. If any thing short of the whole power were given, it would manifestly fall short of the extent of the claim, and consequently be an acknowledgment that no such claim existed. Mr. Pitt ventured to assert, that the powers vested in the *custos regni* had always been less than those of the king. He called upon his hearers to advert to the ancient records, and concluded, that, because the power of bestowing benefices for instance had occasionally been given, their prerogatives had always been subject to some limitation. In modern times the appointment of lords justices had been the usual resource, and that frequently when a prince of full age was resident in England. There was one other precedent that remained, where the exercise of royalty had been interrupted by indisposition; and this appeared to him to be more a case in point than any of

the rest. The precedent to which he alluded was that of the protectorate of the duke of York, in the reign of king Henry the Sixth. The heir apparent had indeed at that time been a minor, but this variation in the record was fully supplied by the reversionary patent that parliament had directed to be issued, granting the regency to the prince of Wales when he should attain full age, with precisely the same powers as those of the duke of York; that is, with such limitations and restrictions as amounted to a positive denial of his hereditary right. From all these examples Mr. Pitt concluded, that the whole stream of history was in his favour, and that the house could not refuse the resolutions he offered, in consistency with precedent and the forms of the constitution. They were now called upon to declare their inherent rights; and if they failed to do it fully and explicitly, their conduct would undoubtedly be ascribed to motives of personal interest, rather than a regard to the honour and safety of the crown, and an attention to the true interests of their country. He remarked, that the claim of right had originally been asserted by Mr. Fox in much stronger and more elevated terms than those which it was now thought prudent to employ; and he had no doubt that it was the sense of the country at large, that no such right had the shadow of existence.

MR. FOX

Apologized from indisposition for not entering methodically into a farther justification of his opinion, respecting which indeed he had argued enough upon former occasions. Any man however would have imagined, from the weakness of the arguments advanced on the

other side, that those who adduced them, had wished to provoke him to the most unqualified assertion of the doctrine he had suggested. From the extreme futility of their reasonings, from the glaring absurdity of their inferences, the false premises they had laid down, and the irrelevant and inapplicable precedents upon which they pretended to rely, they perhaps thought that they held out a temptation so strong, that flesh and blood could not withstand it. Could the minister and his friends suppose that the house would think them serious in supporting their systems by the series of precedents that was now offered? How miserable must be that system, the prominent features of which were so highly disgraceful! Was the practice of the present times, times so enlightened, and in which the principles of the constitution were so well understood, to be grounded on precedents drawn from the dark and barbarous period of king Henry the Sixth? Were the rights of the house of commons in one of the most difficult moments that had ever occurred, to be maintained and vindicated by an example, in which the house of lords had usurped an exclusive authority, and in which the rights of the commons were so ill understood, that its speaker was at that very moment in prison on a commitment of the house of lords? Mr. Fox called upon his hearers to reflect upon the catastrophe of that period, the infamous transactions of which were chosen for the model of that day's proceedings. That period had immediately led to the wars of the houses of Lancaster and York, and had introduced those dismal scenes of anarchy, confusion, bloodshed, and tyranny, that were a disgrace to the annals of England, and had reduced the kingdom to unparalleled distress. With respect to the other precedents, there was not one of them that related to the case of a prince of Wales arrived at full age. If however they tended to prove any thing, it was the prince's right. In the reign of Edward the Third, the Black Prince, at only thirteen years of age, was declared regent, and afterwards, during the

absence of Edward and his son, the appointment had fallen on the next brother, the duke of Clarence. In the reign of Henry the Sixth the right of the prince of Wales, though only a year old, was fully and explicitly recognized. But overlooking all these distant examples, Mr. Fox was perfectly of opinion that all precedents prior to the revolution were foreign to the purpose, because at the revolution only civil liberty was clearly defined, and the rights of the different branches of the legislature ascertained. It was, Mr. Fox contended, undeniably evident, that the act of settlement must be altogether overlooked, if the prince of Wales were passed over, and the doctrine of Mr. Pitt established. The act of settlement might clearly be defeated, and the succession to the crown might be altered, if the regency were vested in any other hands: and such had indeed been actually the case in the minister's favorite precedent, that of the protectorate of Richard duke of York.

Mr. Fox asserted, that the plan of Mr. Pitt would radically alter the government, and overturn the constitution. The right to make laws rested in the entire legislature, and not in the concurrence of any two of its branches. The constitution supposed each of its three branches to be independent of the other, and actually hostile; and if that principle were once given up, there was an end of our political freedom. The safety of the whole depended, not upon the patriotism of any one branch of the legislature, but rather on the separate interests of the three, prone to the extension of their individual power, and concurring through different views to the benefit of the community. Any man familiar with the theory of the constitution would naturally think, and, if he were questioned, readily answer, that the monarchy was hereditary; but, if the doctrine of that day prevailed, the answer must be: "I cannot tell; ask his majesty's physicians. When the king of England is in health, the monarchy is hereditary; but when he is ill, and incapable of exercising the sovereign authority, it is

then elective." A subtle and politic lawyer might indeed be found, who would alledge, as the solicitor general, Sir Archibald Macdonald had done, that the monarchy, it was allowed, must be hereditary, but the executive power might be elective. The political capacity, it seemed, of the king, was immutable, but his natural capacity was liable to variations. Thus an hereditary monarch existed stripped of the regal functions, while the person who occupied his place in the constitution, was liable to be elected and modified by the other branches of the legislature. The legal metaphysics, that thus distinguished between the crown and its functions, were to him unintelligible. The investigators should be schoolmen and not statesmen, if a question that so deeply involved the existence of the constitution were to be thus discussed. But he would put an end to the argument at once by asking, where was that famous dictum to be found, by which the crown was guarded with such inviolable sanctity, while its powers were left to the mercy of every assailant?

Mr. Fox ridiculed the subtlety of Mr. Pitt's reasonings, that the prince of Wales had no more right than he had, at the same time that he confessed that parliament was not at liberty to think of any other regent; and all this for the paltry triumph of a vote over a political antagonist, and to insult a prince, whose favour he was conscious he had not deserved. For himself, he had ever made it his pride to combat with the crown in the plenitude of its power and the fulness of its authority. He wished not to trample upon its rights, while it lay extended at his feet, deprived of its functions and incapable of resistance. Let the minister pride himself on a victory obtained against a defenceless foe; let him boast of a triumph where no battle had been fought, and no glory could be obtained; let him take advantage of the calamities of human nature, and, like the unfeeling lord of a manor, riot in the riches to be acquired by shipwrecks, by rigorously asserting a claim to the waifs, estrays,

deodands, and all the accumulated profit of the various accidents which misfortune could throw into his power: let it never be his boast to have gained such victories, obtained such triumphs, or availed himself of wealth so acquired. Mr. Fox was ready to admit that Mr. Pitt's administration had been in some respects intitled to praise. The whole conduct of the Dutch transaction, in particular, was wise and vigorous, laudable in its design and effectual in its execution. Of his other measures he certainly entertained a very different opinion. The minister however appeared to have been so long in the possession of power, that he could not endure to part with it. He had experienced the entire favour of the crown, and enjoyed the advantage of exerting all its prerogatives; and, finding the whole not too much for the successful administration of government, he had determined to cripple his successors, to deprive them of the advantages which he had possessed, and circumscribe their power of being useful to their country; as if he dreaded that their prosperity would cast a shade upon his fame. With regard to Mr. Pitt's motives, he was unable to assign them; but, if there were an ambitious man in that house who desired to drive the empire into confusion, his conduct, he conceived, would be exactly that which the minister pursued. Mr. Fox on his part had nothing to wish for, but that his hearers would faithfully employ their vigilance, and not vote the resolutions without being perfectly aware of their tendency.

MR. WILBERFORCE.

On the Slave Trade.

He began with observing, that he did not mean to appeal to the passions of the house, but to their cool and impartial reason. He did not mean to accuse any one, but to take shame to himself, in common indeed with the whole parliament of Great Britain, for having suffered so odious a trade to be carried on under their authority. He deprecated every kind of reflection against the various descriptions of persons who were most immediately involved in this wretched transaction. It was necessary for him to state in the outset, that he did not conceive the witnesses who were examined, and particularly interested witnesses, to be judges of the argument. In the matters of fact that were related by them, he admitted their competency; but confident assertions, not of facts, but of supposed consequences of facts, went for nothing in his estimation. Mr. Wilberforce divided his subject into three parts; the nature of the trade as it affected Africa itself, the appearance it assumed in the transportation of the slaves, and the considerations that were suggested by their actual state in the West Indies. With respect to the first, it was found by experience to be just such as every man who used his reason would infallibly have concluded it to be. What must be the natural consequence of a slave trade with Africa, with a country vast in its extent, not utterly barbarous, but civilized in a very small degree? Was it not plain, that she must suffer from it; that her savage manners must be rendered still more ferocious, and that a slave trade carried on round her coasts must extend violence and desola-

tion to her very centre? Such were precisely the circumstances proved by the evidence before the privy council, particularly by those who had been most conversant with the subject, Mr. Wadstrom, captain Hill, and doctor Sparman. From them it appeared, that the kings of Africa were never induced to engage in war by public principles, by national glory, and least of all, by the love of their people. They had conversed with these princes, and had learned from their own mouths, that to procure slaves was the object of their hostilities. Indeed there was scarcely a single person examined before the privy council, who did not prove that the slave trade was the source of the tragedies continually acted upon that extensive continent. Some have endeavoured to palliate this circumstance; but there was not one that did not more or less admit it to be true. By one it was called the concurrent cause, by the majority it was acknowledged to be the principal motives of the African wars.

Mr. Wilberforce proceeded to describe the mode in which the slaves were transported from Africa to the West Indies. This he confessed was the most wretched part of the whole subject. So much misery condensed in so little room, was more than the human imagination had ever before conceived. He would not accuse the Liverpool traders; he verily believed, that if the wretchedness of any one of the many hundred negroes stowed in each ship could be brought before the view, and remain in the sight of the African merchants, there was not one among them whose heart would be strong enough to bear it. He called upon his hearers to imagine six or seven hundred of these victims chained two and two, surrounded with every object that was nauseous and disgusting, diseased, and struggling with all the varieties of wretchedness. How could they bear to think of such a scene as this? Meanwhile he would beg leave to quote the evidence of Mr. Norris, delivered in a manner that fully demonstrated that in-

terest could draw a film over the eyes, so thick, that total blindness could do no more. "Their apartments," said this evidence, "are fitted up as much for their advantage as circumstances will admit. They have several meals a day, some of their own country provisions, with the best sauces of African cookery, and by way of variety, another meal of pulse, &c. according to European taste. After breakfast they had water to wash themselves, while their apartments are perfumed with frankincense and lime juice. Before dinner they are amused after the manner of their country; the song and the dance are promoted, and games of chance are furnished. The men play and sing, while the women and girls make fanciful ornaments with beads, with which they are plentifully supplied." Such was the sort of strain in which the Liverpool delegates gave their evidence before the privy council. What would the house think, when by the concurring testimony of other witnesses the true history was laid open? The slaves, who were sometimes described as rejoicing in their captivity, were so wrung with misery, at leaving their country, that it was the constant practice to set sail in the night, lest they should be sensible of their departure. Their accommodations, it seemed were convenient. The right ancle of one, indeed, was connected with the left ancle of another by a small iron fetter, and if they were turbulent, by another on the wrists. The pulse which Mr. Norris mentioned were horse beans, and the legislature of Jamaica had stated the scantiness both of water and provision as a subject that called for the interference of parliament. Mr. Norris talked of frankincense and lime-juice, while the surgeons described the slaves as so closely stowed, that there was not room to tread among them; and while it was proved in evidence by Sir George Yonge, that, even in a ship that wanted two hundred of her complement, the stench was intolerable. The song and the dance, said Mr. Norris, are promoted. It would have been more fair, perhaps, if he had explained the word

promoted. The truth was, that for the sake of exercise these miserable wretches, loaded with chains and oppressed with disease, were forced to dance by the terror of the lash, and sometimes by the actual use of it. "I," said one of the evidences, "was employed to dance the men, while another person danced the women." Such was the meaning of the word promoted; and it might also be observed, with respect to food, that instruments were sometimes carried out in order to force them to eat; which was the same sort of proof how much they enjoyed themselves in this instance also. With respect to their singing, it consisted of songs of lamentation on their departure, which while they sung they were always in tears; so that one of the captains, more humane probably than the rest, threatened a woman with a flogging, because the mournfulness of her song was too painful for his feelings. That he might not trust however, too much to any sort of description, Mr. Wilberforce called the attention of the house to one species of evidence which was infallible. Death was a witness that could not deceive them, and the proportion of deaths would not only confirm, but, if possible, even aggravate our suspicion of the misery of the transit. It would be found, upon an average of all the ships upon which evidence had been given, that, exclusively of such as perished before they sailed, not less than twelve and a half *per cent*, died on the passage. Besides these the Jamaica report stated, that four and a half *per cent*, expired upon shore before the day of sale, which was only a week or two from the time of their landing; one third more died in the seasoning, and this in a climate exactly similar to their own, and where, as some of the witnesses pretended, they were healthy and happy. The diseases however that they contracted on ship-board, the astringents and washes that were employed to hide their wounds, and make them up for sale, were a principal cause of this mortality. The negroes, it should be remembered, were not purchased at first except in

perfect health, and the sum of the different casualties taken together, produced a mortality of about fifty *per cent.*

Mr. Wilberforce added, that as soon as he had advanced thus far in his investigation, he felt the wickedness of the slave trade, to be so enormous, so dreadful, and so irremediable, that he could stop at no alternative short of its abolition. A trade founded in iniquity, and carried on with such circumstances of horror, must be abolished, let the policy be what it might; and he had from this time determined, whatever were the consequences, that he would never rest till he had effected that abolition. His mind had indeed been harrassed with the objections of the West Indian planters, who had asserted that the ruin of their property must be the consequence of this regulation. He could not however help distrusting their arguments. He could not believe that the Almighty Being, who forbade the practice of rapine and bloodshed, had made rapine and bloodshed necessary to any part of his universe. He felt a confidence in this persuasion, and took the resolution to act upon it. Light indeed soon broke in upon him; the suspicion of his mind was every day confirmed by increasing information, and the evidence he had now to offer upon this point was decisive and complete. The principle upon which he founded the necessity of the abolition was not policy, but justice; but, though justice were the principle of the measure, yet he trusted he should distinctly prove it to be reconcileable with our truest political interest.

In the first place he asserted, that the number of negroes in the West Indies might be kept up without the introduction of recruits from Africa; and to prove this he enumerated the various sources of the present mortality. The first was the disproportion of the sexes, an evil, which, when the slave trade was abolished, must in the course of nature cure itself. The second was the disorders contracted in the transportation, and the con-

sequences of the washes and mercurial ointments by which they were made up for sale. A third was excessive labour, joined with improper food; and a fourth, the extreme dissoluteness of their manners. These would both of them be counteracted by the impossibility of procuring farther supplies. It was the interest, they were told, of the masters, to treat their slaves with kindness and humanity; but it was immediate and present, not future and distant interest, that was the great spring of action in the affairs of mankind. Why did we make laws to punish men? It was their interest to be upright and virtuous. But there was a present impulse continually breaking in upon their better judgment, an impulse which was known to be contrary to their permanent advantage. It was ridiculous to say that men would be bound by their interest, when present gain or ardent passion urged them. It might as well be asserted, that a stone could not be thrown into the air, or a body move from place to place, because the principle of gravitation bound them to the surface of the earth. If a planter in the West Indies found himself reduced in his profits, he did not usually dispose of any part of his slaves, and his own gratifications were never given up, so long as there was a possibility of any retrenchment in the allowance of his negroes. Mr. Wilberforce entered into a calculation in order to prove, that in many of the islands, and particularly in Jamaica, there was an increase of population among the slaves actually begun; and he deduced from the whole, that the births in that island at this moment exceeded the deaths by one thousand or eleven hundred *per annum*. Allowing however the number of negroes to decrease, there were other obvious sources that would insure the welfare of the West Indian islands; the waste of labour which at present prevailed; the introduction of the plough and other machinery; the division of work, which in free and civilized countries was the grand source of wealth; and the reduction of the number of domestic servants, of whom not less than

from twenty to forty were kept in ordinary families. But, granting that all these suppositions were unfounded, that every one of these succedanea should fail; the planters would still be secured, and out of all question indemnify themselves, as was the case in every transaction of commerce, by the increased price of their produce in the English market. The West Indians therefore, who contended against the abolition, were nonsuited in every part of the argument. Did they say that fresh importation was necessary? He had shown, that the number of slaves might be kept up by procreation. Was this denied? He asserted that the plough, horses, machinery, domestic slaves, and all the other inevitable improvements, would supply the deficiency. Was it persisted in that the deficiency could be no way supplied, and that the quantity of produce would diminish? He then reverted to the unanswerable argument, that the increase of price would make up their loss, and secure them against every possible miscarriage.

Mr. Wilberforce proceeded to answer incidental objections. In the first place he asserted, that the African trade, instead of being the nursery of our sailors, had been found to be their grave. A comparison had with great industry been formed between the muster-rolls of the slave ships and those of the other branches of our commerce; and it had been found, that more sailors had died in one year in the slave trade, than in two years in all our other trades put together. Three thousand one hundred and seventy seamen had sailed from Liverpool in 1787, and of these only fourteen hundred and twenty eight had returned. Information upon the subject had lately been received from the governor of Barbadoes, who stated in the course of his narrative, "that the African traders at home were obliged to send out their ships very strongly manned, as well from the unhealthiness of the climate, as the necessity of guarding the slaves; and as they soon felt the burthen of the consequent expence, the

masters quarrelled immediately upon their arrival in the islands with their seamen, upon the most frivolous pretences, and turned them on shore, while many of these valuable subjects, sometimes from sickness, and sometimes from the necessity of entering into foreign employment for subsistence, were totally lost to their country." A farther objection that had been urged was, that if we abandoned the slave trade, it would only be taken up by the French; we should become the sufferers, and the evil would remain in its utmost extent. This was indeed a very weak and sophistical argument; and, if it would defend the slave trade, might equally be urged in favour of robbery, murder, and every species of wickedness, which, if we did not practice, others would probably commit. The objection, however, he believed, had no foundation in fact. Mr. Necker, the present minister of France, was a man of ability and religion, and in his work upon the administration of the finances, had actually recorded his abhorrence of the slave trade; and the king of France having lately been requested to dissolve a society formed for the express purpose of the abolition, had answered that he could not comply with what was desired, and that he on the contrary rejoiced in the existence of such a society.

Mr. Wilberforce proceeded in his arguments to shew, that no measure could in the present case be effectual, short of the entire abolition. The Jamaica report had recommended that no person should be kidnapped, or permitted to be made slaves contrary to the customs of Africa. Might they not be reduced to this state unjustly, and yet by no means contrary to the customs of Africa? Besides how could we distinguish between the slaves justly and unjustly reduced to that condition? Could we discover them by their physiognomy? If we could, was it believed that the British captains would by any regulations in this country be prevailed upon to refuse all those that had not been fairly, honestly, and uprightly enslaved? Those who were offered to us for sale, were

brought, some of them, three or four thousand miles, and exchanged like cattle from one hand to another, till they reached the coast. What compensation then could be made to the rejected slaves for their sufferings? The argument was equally valid as to their transportation. The profit of the merchant depended upon the number that could be crowded together, and the shortness of the allowance. As to their ultimate situation, it would also remain. Slavery was the source of all sorts of degradation, and the condition of slavery could not even be meliorated, without putting an end to the hope of farther reinforcements. In fine, Mr. Wilberforce called upon his hearers to make all the amends in their power for the mischief they had done to the continent of Africa. He called upon them to recollect what Europe had been three centuries ago. In the reign of king Henry the Seventh, the inhabitants of Bristol had actually sold their children as an article of merchandize. The people of Ireland had done the same. Let then the same opportunity of civilization be extended to Africa, which had done so much for our own islands. It might hitherto have been alledged in our excuse, that we were not acquainted with the enormity of the wickedness we suffered; but we could no longer plead ignorance—it was directly brought before our eyes, and that house must decide, and must justify to the world and their consciences the facts and principles upon which their decision was formed.

MR. PITT

Explicitly delivered his sentiments upon the subject, and particularly thanked Mr. Wilberforce for having

chosen the only way in which it could be demonstrated, that they were warranted, in every ground of fact and of reason, in adopting the measure that was now recommended to them. He was satisfied that no argument, compatible with any idea of justice, could be assigned for the continuation of the slave trade; and at the same time that he was willing to listen with candour and impartiality to every thing that could be urged, he was sure that the principles from which his opinion was deduced were totally unalterable. He had examined the subject with the anxiety that became him, and investigated the different parts of it with all possible minuteness; and he averred, that it was sophistry, obscurity of ideas, and vagueness of reasoning, that alone could have hitherto prevented all mankind, those immediately interested in the question excepted, from agreeing in their opinion upon the subject. He differed from Mr. Burke with respect to the propriety of adopting these individual propositions. Let them be once entered upon the journals of the house, and it was almost impossible for them to fail in producing every beneficial consequence that could be desired. The mode in which the slave trade should ultimately be abolished was not now under discussion; but, whatever it were, Mr. Pitt trusted that the project now recommended to them would not prove the means of inviting foreign powers to supply our islands by a clandestine trade. When a debt was discovered to be founded upon the immutable principles of justice, it was impossible but the country had means to cause it to be paid. Should such an illicit proceeding be attempted, the only language which it became us to adopt was, that Great Britain had resources to enable her to protect her islands, and to prevent that traffic from being clandestinely carried on with them, which she had thought fit, from a regard to her character and her honour, to abandon. It was highly becoming in Great Britain to take the lead of all other countries in a business of so great magnitude; and he could not but have confidence, that

foreign nations would be inclined to share the honour, and contented to follow us as their patterns in so excellent a work. If we were inclined to set about it in earnest, other countries might be invited to concur with us, either by a negociation immediately to be commenced, or by the effect that the putting the propositions upon their journals would probably produce. Mr. Pitt added, that he felt it his duty to declare, that he could not in any sort acquiesce in the idea that the legislature should make a compensation for the losses which might be sustained by the people of Liverpool, or of any other part of the kingdom, in the execution of the present undertaking.

MR. FOX

Observed, that he did not like, where he agreed as to the substance of the measure that was proposed, to differ with respect to the form of it. He however conceived, that all the propositions of Mr. Wilberforce were not necessary to be voted previously to the ultimate decision, though some of them undoubtedly were. He considered them as of two classes; the one alledging the grounds upon which it was proper to proceed to the abolition, such as that it was disgraceful and inhuman, that it produced the worst consequences to the natives of Africa, and was attended with loss of lives to our seamen; the other merely answering objections that might be started, and being such as might possibly be attended with difference of opinion. He was however glad that the propositions were likely to be entered upon the journals, since in that case, if from any misfortune the business should be deferred, it could scarcely fail, sooner or later,

to be crowned with success. Mr. Fox highly approved of what Mr. Pitt had said respecting the language it became us to hold to foreign powers, though he could not admit the assertion of Sir. William Young, that a clandestine trade in slaves was worse than a legal one. He thought that such a trade, if it existed at all, should be only clandestine. A trade in human flesh was so scandalous, that it was to the last degree infamous to suffer it to be openly carried on by the authority of the government of any country. With regard to a regulation of the slave trade, his detestation of its existence must naturally lead him to remark, that he knew of no such thing as a regulation of robbery and restriction of murder. There was no medium; the legislature must either abolish the trade, or plead guilty to all the iniquity with which it was attended. Mr. Fox added, that if there were any great and enlightened nation now existing in Europe, it was France, who was as likely as any country upon the face of the globe to catch a spark from the light of our fire, and to act upon the present subject with warmth and enthusiasm. France had often been improperly stimulated by her ambition; and he had no doubt but that, in the present instance, she would readily follow its honourable dictates.

MR. HENNIKER

Opposed the abolition, and in order to prove the unalterable depravity of the Africans, produced a curious letter from the Emperor of the Dawhomayans, a people inhabiting three hundred miles inland, to king George the First, which was found among the papers of James, first duke of Chandos, and had remained in the family

to the present time. In this letter the emperor of Dawhomay entered into a very curious detail of his own character and disposition, the form of government of his country, and the manners and pursuits of his subjects. He stated, that as he understood that king George was the greatest of white kings, so he thought himself the greatest of black ones, having many princes under him, who dared not to come into his presence without falling flat upon the ground, and rubbing their mouth nine times in the dust before they opened it to speak to him; and when he conferred any dignities or favours upon them, wiping the soles of his feet with the hair of their head. He asserted that he could lead five hundred thousand men armed into the field, that being the pursuit to which all his subjects were bred, and the women only staying at home to plant and manure the earth. He had himself fought two hundred and nine battles with great reputation and success, and had conquered the great king of Ardah. The king's head was to this day preserved, with the flesh and hair; the heads of his generals were distinguished by being placed on each side of the doors of the temples of their Fetiches; with the heads of the inferior officers they had paved the space before the doors; and the heads of the common soldiers formed a sort of fringe or outwork round the walls of the palace. Since this war he had experienced the greatest good fortune, and he hoped in time to be able to complete the outwalls of all his great houses, to the number of seven, in the same manner.

MR. PITT.

On the Army Establishment.

He acknowledged that the tumultuous situation of France, and the friendly assurances of the greater part of the powers of the continent, seemed to ensure us a prospect of tranquillity and peace. But he was far from admitting that this was a sufficient reason for reducing our establishments. On the contrary, he conceived that the use it became us to make of the present favourable situation, when our former rivals were unable to check our exertions, was to raise ourselves to a state of such respectability, as to leave no hopes to their future hostility. He argued in favour of an enlarged American establishment, from the very circumstance of our loss of the thirteen colonies. This gave us a more extended frontier to defend, than at the time when we had no power upon that continent to oppose us, and of consequence rendered a greater army necessary. Mr. Pitt argued from the events of the late war, in favour of the inestimable value of Gibraltar, and of the bad consequences that resulted from our former mode of defence in the West Indies. The present convulsions of France, he observed, must sooner or later terminate in general harmony and regular order; though he confessed there was a probability, that, while the fortunate arrangements of such a situation might render her more formidable, they would also convert her into a less restless neighbour. He hoped he should do nothing wrong as an Englishman, while as a man he wished the restoration of the tranquillity of France; though that event appeared to him considerably distant. Whenever it arrived,

and her inhabitants became truly free, they must be in possession of a freedom resulting from order and good government; they would then stand forward as one of the most brilliant powers in Europe; nor could he regard with envious eyes an approximation towards those sentiments, which were characteristic of every British subject.

MR. BURKE.

In Reply to Mr. Fox, on the French Revolution.

He acknowledged, that he had risen chiefly for the purpose of noticing what he was informed Mr. Fox had said upon the subject of the French revolution. He was fully persuaded that Mr. Fox had by no means intended to countenance any thing hostile to the English constitution. But he was anxious that he should not be misunderstood; and he conceived that it would be the greatest of all calamities for this country, if any set of men among us should endeavour to hold up the late transactions in France as a fit object for our imitation. Mr. Burke examined the present state of Europe, and condemned in very pointed terms the high rate at which our military establishment was taken in the present estimates. In looking over the geography of this quarter of the world, he saw a great gap, a vast blank—the space hitherto occupied by France, and which was no longer of any importance in the balance of power.

—— Jacet ingenes littore truncus,
Avulsumque humeris caput, et sine nomine corpus.

France, he said, had always been an object for our

vigilance, whether we considered her as an enemy or a friend. Under the former of these characters, she had made herself sufficiently conspicuous; and as to the latter it might be observed, that our friendship and intercourse with that nation had formerly been, and might become again, more dangerous than their worst hostility. In the last century Louis the Fourteenth had established a greater military force, and a more perfect despotism, than had ever before existed in Europe. His example had infected all the neighbouring powers; and in particular our sovereigns, king Charles the Second, and king James the Second, were smitten with admiration of a government so flattering to the pride of kings. The good patriots of that day, however, had struggled against it. They sought for nothing more anxiously than to break off all communication with France, and by the assistance of religious animosities this purpose was in some degree effected. In the last age, we had been in danger of being entangled by the example of France in the net of a relentless despotism. Our present danger, from the model of a people whose character knew no medium, was that of being led, through an admiration of successful fraud and violence, to imitate the excesses of an irrational, unprincipled, proscribing, confiscating, plundering, ferocious, bloody, and tyrannical democracy.

The French had made their way, through the destruction of their country, to a bad constitution, when they were absolutey in possession of a good one. They were in possession of it the day the states general met in separate orders. Their business, had they been either virtuous or wise, or indeed had they been left to their own judgment, was to secure the stability and independence of the constitution which was thus given them, and to redress such grievances as might call for their interference. But instead of this, to which they were called by the monarch, and sent by their country, they were influenced to take a very different course. They destroyed all those balances and checks which serve to give steadiness to a

constitution; and melted down the whole into one incongruous, ill-digested mass. With the most atrocious perfidy and breach of all faith among men, they laid the axe to the root of property, and consequently of national prosperity, by the principles they established, and the example they set in confiscating the possessions of the church. They made and recorded a sort of institute and digest of anarchy, called the rights of man; an institute, that subverted the state, and brought on such calamities as no country without a long war had ever been known to suffer. A blind and cruel democracy had carried every thing before them. Their conduct was marked with the most savage and unfeeling barbarity. They had no other system, than a determination to destroy all order, subvert all arrangement, and reduce every rank and description of men to one level. Their signal of attack was the war-whoop, their liberty was licentiousness, and their religion atheism.

Mr. Burke was sorry that a proceeding like this should by any one be compared to the glorious event, commonly called the revolution, in England. In truth, the circumstances of our revolution, and that of France, were the reverse of each other in almost every particular. With us it was the case of a legal monarch attempting arbitrary power; in France it was the case of an arbitrary monarch beginning, from whatever cause, to legalize his authority. With us, we got rid of the man, and preserved the constituent parts of the state. What we did was, in truth, and in a constitutional light, a revolution, not made, but prevented. We did not impair the monarchy; perhaps it might be shewn that we considerably added to its strength. The estates, the majesty, and the splendor of the church continued the same. We began with reparation, and not with ruin. All the energies of the country were awakened. England never presented a firmer countenance, or a more vigorous arm, to her rivals and her enemies.

Mr. Burke added, that the separation of a limb from

his body could scarcely give him more pain, than the idea of differing violently and publicly with Mr. Fox in opinion. He was confident, however, that the occasion would never be afforded; but, if he could allow himself to make the supposition, and if his dearest friend upon earth were to act a part so irreconcileable with what he regarded as the first duty of a member of the English parliament, as to countenance any attempt to overturn our constitution, he pledged himself to oppose him. He trusted that what he now said would not be misconstrued into a desertion of the men with whom he had so long acted. He wished, as one of the greatest benefits that could befal this country, to see an eminent share of power in the hands of Mr. Fox. He knew, that to his great and masterly understanding, he joined the utmost possible degree of moderation; that he was of the most artless, candid, open, and benevolent disposition; disinterested in the extreme; of a temper mild and placable, even to a fault; and without one drop of gall in his constitution. Mr. Burke trusted that he should not be considered an enemy to reformation. Almost every business in which he had been much concerned, from the first day he sat in that house, had been a business of reformation; and, when he was not employed in correcting, he had been engaged in resisting abuses. But the time was come, when it was necessary to draw a line between reformation and destruction; that wise foresight that provided against abuse, and that wild spirit of innovation with which nothing was sacred.

MR. FOX.

On the Test Act.

STATED it, as the fundamental principle upon which the whole argument turned, that no government had a right to animadvert upon the speculative opinions of its subjects; and that the persons holding such opinions could in no case be rendered a fit object for the censure of the state, till they were led by them to the adoption of a conduct subversive of the public tranquillity. Persecution, he said, might be allowed to have originally proceeded on a principle of kindness, to promote a unity of religious opinion, and to prevent error in the important articles of Christian belief. But did persecution ever succeed in this humane and truly charitable design? The experiment had been made in different times and under various forms, and had uniformly miscarried. It was said, that certain errors in religion had a tendency to disturb the public peace. But surely this argument, if in any instance true, would be still more true, when applied to political errors; and yet such was the absurdity of our present test laws, that a man, who favoured arbitrary power in his sentiments, who should consider the abolition of trial by jury as no violation of liberty, and the invasion of the freedom and law of parliament as no infraction of the constitution, might easily pave his way to the first situations in the state. There was no political test to bind him; the obligation of all such tests had been justly exploded by the practice of the country. And what had been the consequence of this? A religious test was imposed for a political purpose. The object of this test had originally been to exclude antimonarchical men from civil offices. But he would ever re-

probate such a procedure; it was acting under false pretences; its tendency led to hypocrisy, and served as a restraint only upon the conscientious and the honest.

Mr. Fox spoke with particular censure of the attempt that had been made to revive a long forgotten panic, of the danger of the church. Such danger, he maintained, was idle and chimerical, and was in his opinion asserted only for the purposes of oppression. He declared, that he highly approved of the discipline and abstract doctrines of the church of England. It had wisely avoided all that was superstitious, and retained what appeared to him to be essential. He should ever be a decided friend to an established religion; but it should be an establishment founded on the opinions of the majority of the people. The truth of religion was not a subject for the discussion of parliament; their duty was only to sanction that which was most universally approved, and to allow it the emoluments of the state. Innovation was said to be dangerous at all times, but particularly so now in regard to the situation of affairs in France. He begged leave to remind the house, that the application of the dissenters had been made three years ago, and was not founded upon the most distant reference to the transactions which had taken place in that kingdom. However he might rejoice in the emancipation of near thirty millions of his fellow-creatures, and in the spirit which gave rise to the revolution, yet he was free to own, there were some acts of the new government which he could not applaud. The summary and indiscriminate forfeiture of the property of the church came under this description. But, though he was himself a friend to establishments, he must however strongly object to the church, whenever it presumed to act as a party. Its interference in politics has always been mischievous, and often dangerous to the constitution. Mr. Fox censured in strong terms a circular letter of doctor Horsley, bishop of Saint David's, to the clergy of his diocese, commending one

candidate at the general election, and advising his clergy not to vote for another, who had lately received the thanks of the dissenters. Mr. Fox spoke in animated terms of the merit of certain eminent characters among the dissenting clergy; but at the same time declared his disapprobation of their introducing political topics into the pulpit Doctor Price, in his sermon on the anniversary of the English revolution, had delivered many noble sentiments, worthy of an enlightened philosopher, who was unconfined by local attachments, and gloried in the freedom of the whole human race; but though he approved of his general principles, he considered his arguments as unfit for the pulpit. The clergy in their sermons ought no more to handle political topics, than that house ought to discuss subjects of morality and religion.

MR. PITT.

On the same subject.

Declared himself averse to the motion. He had formerly delivered his sentiments upon this subject, and at the present moment he felt himself more strengthened and confirmed in his former opinions. The important question at issue, he said, plainly was, whether the house ought to relinquish at once those acts which had been adopted by the wisdom of our ancestors, to serve as a bulwark to the church, whose constitution was so intimately connected with that of the state that the safety of the one must always be affected by any danger that threatened the other. To toleration the dissenters were undoubtedly entitled. They had a right to enjoy their liberty and their property, to entertain their

own speculative opinions, and to educate their offspring in such religious opinions as themselves approved. But the indispensable necessity of a permanent church establishment for the good of the state, required that toleration should not be extended to equality. If it were, there would be an end for ever to the wise policy of prevention, and a door would be opened to the absolute ruin of the constitution. It must be admitted, that all cognizance of opinion might not be a warrantable ground for criminal accusation; but it did not therefore follow, that an enquiry and test of a man's opinion, as the means of judging of his religious and constitutional principles, was not highly expedient. Our very liberties had been saved by virtue of this sanction. Had it not been for the bulwark of the test law, the Stuart family might now have been in possesion of the throne, and the mover of the present question never have had the opportunity of delivering those opinions, which they had that day heard.

Mr. Pitt considered it as an unquestionable principle, that public offices were established for the benefit of the community, and that the community was served by maintaining some distinction in their distribution. The idea therefore of a right to civil offices, was absurd and ridiculous. Suppose the case of a republic, the government of which was a perfect democracy, and the officers of state elective out of the general body. Imagine any form of religion or superstitious ceremony to be professed by a small part of the people, the tendency of which was to overthrow the democratic equality, and consequently, the constitution itself. Would not the majority be warranted in the exclusion of such an obnoxious party from the right, either of electing, or being elected to fill offices of trust in the state? But similar to this was the very object, for which our test laws were enacted. They were to be regarded as a species of jealousy of the monarch, which had never been considered as unconstitutional: they had

a direct tendency to check the exercise of the royal prerogative, which was a circumstance never very unpopular in a free state: and he hesitated not to admit, that, if a distrust were to be entertained of any of the three branches of the constitution, it ought to be of the executive power. He had no idea of such levelling principles, as those which warranted to all citizens an equality of rights, as if the whole revenue under the controul of government were to be equally distributed among the public, from whom it was received. It was said, the Americans had no test laws. But the American constitution resembled ours neither in church nor state; and he sincerely wished it resembled it more than it did, in affording equal security for the liberty and happiness of the subject. The essence of policy consisted in a watchful care for the general good. Where, therefore the interest and rights of individuals came in competition with those of the public, policy claimed precedence even over justice. Neither the merits nor demerits of individuals ought undoubtedly to have any influence in the discussion of the present question. Yet the conduct of the dissenters seemed to him liable to just reprehension; who, at the very moment they were reprobating the test law, discovered an intention of forming associations through the whole country, for the sole purpose of imposing a test upon the members of that house, and judging of their fitness to discharge their parliamentary duty, from their votes upon this single question. Without intending to throw any stigma upon the dissenters, he did not hesitate a moment in supposing it extremely probable, that they might exercise the power they demanded, for the subversion of the present establishment. Their conduct could not be reprehensible in acting upon the principles they professed; and, regarding as they did the established church as sinful and idolatrous, conscience and consistency seemed to require that they should exercise every legal means for its destruction.

MR. BURKE.

On the Same.

OBSERVED, that, at two preceding periods when the question had been agitated, he had absented himself from the house, not having brought his mind to any decision upon the subject. He was now however, from information lately received, ready to say, that he could not give his vote in favour of the present motion. Mr. Fox had begun his speech with laying down the principles of toleration and persecution. All persecution, civil or religious, was odious; but care ought to be taken, that men did not, under colour of an abstract principle, put the change upon their own minds. Abstract principles he had never been able to bear; he detested them when a boy, and he liked them no better now that he had silver hairs. He must have a principle embodied in some manner or other, and the conduct inferred from it ascertained, before he could pretend to judge of its propriety and advantage. But of all abstract principles, those of natural right, upon which the dissenters rested as their strong hold, were the most idle and most dangerous. They superseded society, and snapped asunder all those bonds, which had for ages constituted the happiness of mankind. Abstract principles of natural right had been long since given up, for the sake of what was much better, society; which substituted in their room the dictates of wisdom and justice. It annihilated all our natural rights, and drew to its mass the parts of which they were composed; it took in, as its instruments, all the virtue of the virtuous, and all the wisdom of the wise; it gave life, security and action to every faculty of the soul, and secured the possession of every comfort,

which those proud and boastful rights impotently held out, but could not bestow. It gave alms to the indigent, defence to the weak, instruction to the ignorant, employment to the industrious, consolation to the despairing, support to the helpless, nurture to the aged, faith to the doubtful, and charity to the whole human race. It diffused its beneficent exertions, from acts of tenderness to the infant when it first cried in the cradle, to acts of comfort and preparation to the dying man on the way to the tomb.

That he might not be charged with calumniating a body of men, whose interests he had formerly espoused, Mr. Burke said, he would produce such facts as with him amounted to a satisfactory proof, that the fears he entertained of the church's danger were not of that kind of terror which originated in mere cowardice or unmanly weakness; but the reasonable conviction of a man, alive to the preservation of that for which he was most deeply interested. Mr. Burke quoted certain passages from the political catechism of Mr. Robert Robinson, the sermon of Dr. Price, and the polemical writings of Dr. Priestley, and read a letter of a dissenting minister in Lancashire, descriptive of the violent proceedings of an assembly of dissenters, from which he had thought it necessary to withdraw himself. From these testimonies Mr. Burke inferred, that the leading preachers among the dissenters were avowed enemies to the church of England, and that they made no scruple to acknowledge their intentions. He observed, that nothing could have been to all appearances more secure than the hierarchy of France at a very short period since; and he adjured the house of commons to suffer the fatal incidents which had attended that church, plundered and demolished in so disgraceful a manner, to awaken their zeal for the preservation of our present happy and excellent establishment. Mr. Burke confessed, that, had the question been brought forward ten years ago, he should have voted for the repeal; but circumstances convinced

him, that it was not adviseable at present to interfere with a consideration of so much danger and difficulty.

MR. FLOOD,

On moving for a more equal Representation in Parliament.

He began with informing the house of commons of a truth, which, but from a confidence in their virtue, as he said, he should not have dared to have uttered; that they were not the adequate representatives of the people. That they were the legal representatives he freely admitted; nay, he would go farther, and say, that they were a highly useful and honourable council; a council, which in any other government of Europe, would be a great acquisition. But, to the honour of our country be it spoken, the British constitution entitled us to something better. Representation, Mr. Flood said, was the great arcanum and wise mystery of our government, by which it excelled all the states of antiquity. Now in what did representation consist? In this, that, as by the general law of political society the majority was to decide for the whole, the representative must be chosen by a body of constituents, who were themselves a clear majority of the inhabitants. He admitted, that property to a certain degree was a necessary ingredient to the elective power; that is to say, that franchise ought not to go beyond property; but at the same time it ought to be as nearly commensurate to it as possible. At present these principles were grossly violated. The freeholders who originally included the whole property of the country, now constituted only a small part of it. What was worse, the majority of the representatives, who decided for the whole, and acted for eight millions of people,

were chosen by a number of electors, not exceeding six or eight thousand. A new body of constituents was therefore wanting, and in their appointment two things were to be considered: one, that they should be numerous enough, because numbers were necessary to the spirit of liberty; the other, that they should have a competent share of property, because that was conducive to the spirit of order. To supply these deficiencies his proposition was directed.

But he was told, this was not the time for a reform. And why? Because there were disturbances in France. Now in the first place he averred, that if those disturbances were ten times greater than with every exaggeration they were represented to be, they would only render the argument more decisive in favour of a timely and temperate reform. It was for want of such a reform, that these evils had fallen upon France; it was to the want of similar measures, that the former convulsions of our own country were to be ascribed. Had the encroachments of the Tudors been seasonably repressed, Charles the First would not have mistaken those encroachments for a constitutional prerogative. Had the malpractices of Charles the Second been less tamely endured, James might not have been a tyrant, and needed not to have been an exile. Mr. Flood was no friend to revolutions, because they were an evil; he was a friend to timely reform, which rendered revolutions unnecessary. Those who opposed such a reform, might be enemies to revolution in their hearts, but were friends to it by their folly. He argued farther from the proceedings in France, that if France improved her government, it became the more urgent that we should restore ours. France, now busied in her internal affairs, was not at leisure to disturb our operations. At home we were not in a state of despondency on the one hand, which might tempt us to an act of despair, nor of that drunken prosperity on the other hand, by which nations were rendered ignorant of the present, and regardless of the future.

In developing his own plan, Mr. Flood recalled to the attention of the house the projects of Mr. Pitt and of lord Chatham. Lord Chatham had proposed an addition of county representatives, leaving, as he expressed it, the rotten boroughs to drop off by time. To this proposition, it was not objected, that it would make a considerable increase in the present number of representatives; but it was objected, that the freeholders were already represented, and that the plan proposed did not give franchise to any of that great and responsible body of men, who were now non-electors. To the plan of the chancellor of the exchequer, it was not objected, that he introduced a new body of electors, namely, the copyholders. It was admitted, that, by adding them to the freeholders, he had diminished by so much the objections that had been made to his father's plan; but that there were objections which remained applicable to them both. Respecting Mr. Pitt's plan, as to the boroughs, it was objected, that to disfranchise them might indeed be arbitrary; but that to buy them out would be to build reform, not on purity, but corruption; that the purchase must be slow and uncertain; and that the worst boroughs, those of government, would never resign, but would comparatively be increased in importance by the resignation of others. Mr. Flood's proposition was, that one hundred members should be added to the present house of commons, to be elected by a new and numerous body of electors, the resident householders in every county. It was on all hands admitted, that every individual in this country paid upon an average fifty shillings *per annum* to the revenue. The master or father of a family, contributed in proportion for himself and all its members. Who should say that this class of men ought to be confounded with the rabble? Who would dare to say, that they ought to be proscribed from franchise? They maintained the affluence of the rich, the dignity of the noble, and the majesty of the crown; they supported our fleets and our armies. Could we deny them the right to protect their liberty?

Mr. Flood added another argument. The constitution consisted of three orders, the monarch, the aristocracy, and the people. Its health consisted in maintaining the equipoise between them. The lords had been the most stationary branch : yet, by an increase of their numbers of late, they had obtained many patrimonial and private boroughs, and engrossed an influence over the house ofcommons which did not constitutionally belong to them. But the great alteration had happened on the part of the crown. Judge Blackstone had admitted this, and had expressly referred us, as a remedy, to an amendment of the representation in parliament. Mr. Hume had said, that arbitrary power was the euthanasia of the British constitution. An attempt had been made to diminish the influence of the crown ; but an East-Indian bill and a declaratory law had since passed, and by those laws more influence had been given than was subtracted by the act of reform. Mr. Flood proposed, that the sheriff of each county should be required, by himself and his depúties, to take the poll of the resident householders in each parish on the same day. Thus the representative would be chosen, as he ought to be, by the people ; and by shortening the duration of parliaments he would continue to act as if he were so chosen.

MR. WINDHAM.

On Reply to Mr. Flood.

He said, the experience of ages had demonstrated, that the house of commons was adequate to every necessary purpose ; and that, with no better representation of the people in parliament, the country had been flourish-

ing and prosperous, and the people happy and secure. Mr. Flood had quoted the celebrated case of the Middlesex election, in which the candidate chosen by the minority of the electors had been decided to be the legal representative. Mr. Windham could not see the hardship of this. If such had been the general rule of election through the whole kingdom, the affairs of the nation, for ought he knew, might have gone on as well as ever. At the close of the American war, which, he was afraid, had been undertaken for no better reason than the hope of saving ourselves by taxing America, a clamour was raised, and a parliamentary reform demanded, as a remedy for the expence we have incurred. A deluge of opinions was then let loose; all these wild notions were generated during the war; but happily they had long since subsided. The danger however was now breaking out afresh. A brood of these wild impracticable opinions were come over, like locusts, from the continent; and would, he feared, if they were suffered to remain, destroy the verdure and beauty of the constitution. If he had approved ever so much of the proposition for a parliamentary reform, he should have objected to it, on account of the time at which Mr. Flood had thought proper to introduce it. Where was the man that would be mad enough to advise them to repair their house in the hurricane season.

MR. PITT.

In Reply to Mr. Grey, on the same Subject.

He said, he believed it was not strictly regular to enter into any observation on a mere notice of a motion, and therefore he was under the correction of the house whether he should proceed. [Go on! go on! was then

vociferated from different parts of the house.]—If ever there was an occasion, he said, in which the mind of every man who had any feeling for the present or hope for the future happiness of the nation, should be interested, the present was the time, when form should be disregarded, and the substance of the debate be kept purely in view. Nothing could be whispered on this subject, which did not involve questions of the most extensive, the most serious, the most lasting importance to the people of this country, to the very being of the state.

He felt no difficulty in asserting, in the most decisive terms, that he objected both to the time and the mode in which this business was brought forward. He would confess that, in one respect, he had changed his opinion upon this subject, and he was not afraid to own it. He retained his opinion of the propriety of a reform in parliament, if it could be obtained by a general concurrence, pointing harmlessly at its object.—But he was afraid, at this moment, that if agreed on by that house, the security of all the blessings we enjoyed would be shaken to the foundation. He conceived that the beautiful system of our constitution, and the only security we had for its continuance, was in the house of commons: but that security was imperfect, while there were persons who thought the people not adequately represented. He once thought, and still thought, that if some mode could be adopted, by which the people could have additional security for the continuance of the blessings they now enjoy, it would be an improvement in the constitution of this country. That was the extent of his object; and if this could be obtained, he should think it wise to make the experiment.

Upon the time and mode of bringing this subject forward, he said, every rational person had two points to consider. These were the probability of success, and the risk to be incurred in the attempt.—Upon the latter of these, he owned his apprehensions were very great.

He saw no chance of succeeding in the attempt, in the first place; but saw great danger of anarchy and confusion in the second. It was true he had made some efforts to this effect himself. But at what time? There was then a general apprehension that we were upon the verge of a public national bankruptcy, and a strong sense was entertained of practical grievances. This was at the conclusion of the American war, succeeding a period, when the influence of the crown was declared "to have increased, to be increasing, and that it ought to be diminished." Many thought at that time, and he among the rest, that unless there were a better connection between the parliament and the people, the safety of the country might be endangered.

The present, he alledged, was not a time to make hazardous experiments. Could we forget what lessons had been given to the world within a few years? Could we suppose that men felt the situation of this country, as contrasted with that of others, to be deplorable? He then noticed the association and the advertisements in newspapers, inviting the public to join the standard of reform. He saw with concern the gentlemen to whom he alluded, united with others, who professed not reform only, but direct hostility to the very form of our government; who threatened an extinction to monarchical government, hereditary succession, and every thing which promoted order and subordination in a state. To his last hour he would resist every attempt of this nature; and if he was called upon either to hazard this, or for ever to abandon all hopes of reform, he would say he had no hesitation in preferring the latter alternative.

MR. FOX.

In Reply to Mr. Pitt.

He reminded the house, that he had never professed to be so sanguine on this subject as the right hon. gentleman who had last addressed them; but although less sanguine, he happened to be a little more consistent; for he had early in his public life formed an opinion of the necessity of a parliamentary reform, and remained to this hour convinced of that necessity; and the obvious reason was, that the proceedings of the house were sometimes at variance with the opinion of the public. Of the truth and justice of this sentiment, he said, it was only necessary to refer to a recent instance—the Russian armament. The declaration of that house was, that we should proceed to hostilities. The declaration of the people was, that we should not: and so strong was that declaration, that it silenced and overawed the minister, with his triumphant majority. What was the consequence? that the people of England were at this moment paying the expence of an armament for which they never gave their consent; and as far as that goes, they pay their money for not being represented in parliament, and because their sentiments were not spoken within the walls of that house. It was the doctrine of implicit confidence in the minister that disgusted the people; a confidence not given to him from the experience of his probity and talents, but merely because he was minister.—The doctrine was, that the agent of the executive power, be he who he may, is entitled to confidence; and if he afterwards commit what the people call a blunder, no inquiry shall be had into his conduct.

With respect to the other part of the minister's speech, which related to the allies of his hon. friend Mr. Grey, he thought he might answer it completely by asking the minister, Who will you have for yours? On our part there are infuriated republicans; on yours there are the slaves of despotism; both of them unfriendly perhaps to the constitution: but there was no comparison between them in point of real hostility to the spirit of freedom. The one, by having too ardent a zeal for liberty, lost sight of the true medium by which it was to be preserved; the other detested the thing itself, and are pleased with nothing but tyranny and despotism.

Upon the word *innovation* he must take the liberty of repeating what he uttered almost the first time he addressed that house; an observation which some thought quaintly expressed—"That the greatest innovation that could be introduced in the constitution of England, was to come to a vote that there should be no innovation in it." The greatest beauty of the constitution was, that in its very principle it admitted of perpetual improvement. If it was asked, why his name did not appear in the list of the society for reform? his reason was, that though he saw great abuses, he did not see the remedy. Had his hon. friend consulted him, he should have hesitated in recommending the part he had taken to him; but having taken it, he could not see why the period was improper for the discussion. He professed, in strong terms his admiration of the British constitution, but thought that Mr. Pitt asserted too much, when he held forth this country as the only state exempted from anarchy and despotism. In reply to this observation, Mr. Fox noticed America, and paid a handsome compliment to the new constitution of Poland.

MR. FOX.

On the Address to his Majesty.

He began by complimenting earl Wycombe, who, he observed, had anticipated some of his most forcible arguments; and proceeded to observe, that the present was the most momentous crisis, not only that he had ever known, but that he had ever read of in the history of this country; a crisis, not merely interesting to ourselves and our own condition, but to all nations and to all men; and that on the conduct of parliament in this crisis depend, not merely the fate of the British constitution, but of doctrines which go to the happiness and well-being of all human-kind.

His majesty's speech, he observed, was full of a variety of assertions. Perhaps he should not make use of the word assertions, without adding, that it had also a variety of insinuations conveyed in the shape of assertions, which must impress every man with the most imminent apprehensions for the safety of every thing justly dear to Englishmen. It was their duty to enquire into the truth of these assertions and insinuations so conveyed. In so doing Mr. Fox, agreeably to parliamentary usage, considered the speech as the speech of the minister, and professed the most true and sincere respect personally for his majesty; but as to the speech, it was the speech which his majesty had been advised, by his confidential servants, to deliver from the throne; they were responsible for it, and to them every observation was addressed.

I stated it therefore added Mr. Fox, to be my firm opinion and belief, that there is not one fact asserted in his majesty's speech which is not false—not one

assertion or insinuation which is not unfounded. Nay, I cannot be so uncandid as to believe, that even the ministers themselves think them true. This charge upon his majesty's ministers is of so serious a kind, that I do not pronounce it lightly; and I desire that gentlemen will go fairly into the consideration of the subject, and manifest the proper spirit of the representatives of the people in such a moment. What the noble lord said is most strictly true. The great prominent feature of the speech is, that it is an intolerable calumny on the people of Great Britain; an insinuation of so gross and so black a nature, that it demands the most rigorous inquiry and the most severe punishment. The next assertion is that there exists at this moment an insurrection in this kingdom. An insurrection! Where is it? where has it reared its head? Good God! an insurrection in Great Britain! No wonder that the militia were called out, and parliament assembled in the extraordinary way in which they have been; but where is it? Two gentlemen have delivered sentiments in commendation and illustration of the speech; and yet, though this insurrection has existed for fourteen days, they have given us no light whatever, no clue, no information where to find it. The right hon. magistrate tells us that, in his high municipal situation, he has received certain information which he does not think proper to communicate to us. This is really carrying the doctrine of confidence to a length indeed! Not content with ministers leading the house of commons into the most extravagant and embarrassing situations, under the blind cover of confidence, we are now told that a municipal magistrate has information of an insurrection, which he does not choose to lay before the commons of England, but which he assures us is sufficient to justify the alarm that has spread over the whole country! The honourable gentleman who seconded the motion tells us, that the "insurrections are too notorious to be described." Such is the information

which we received from the right honourable magistrate, and the honourable gentlemen who are selected to move and second the address. I will take upon me to say, that it is not the notoriety of the insurrections which prevents them from communicating to us the particulars, but their non-existence. The speech goes on in the same strain of calumny and falsehood, and says, "The industry employed to excite discontent on various pretexts, and in different parts of the kingdom, has appeared to proceed from a design to attempt the destruction of our happy constitution, and the subversion of all order and government." I desire gentlemen to consider these words, and I demand of their honour and truth, if they believe this assertion to be founded in fact.

There have been, as I understand, and as every one must have heard, some slight riots in different parts; but I ask them, were the various pretexts of these different tumults false, and used only to cover an attempt to destroy our happy constitution? I have heard of a tumult in Shields; of another at Leith; of some riot at Yarmouth, and of something of the same nature at Perth and Dundee. I ask gentlemen if they believe in each of these places the avowed object of the complaint of the people, was not the real one—that the sailors at Shields, Yarmouth, &c. did not really want some increase of their wages, but were actuated by a design of overthrowing the constitution? Is there a man in England who believes this insinuation to be true? And in like manner of every other meeting, to which, in the present spirit, men may give the name of tumultuous assembling. I desire to know if there has been discovered any secret motive other than their open and avowed one. And yet, with this conviction in our minds, we are called upon to declare directly our belief and persuasion that these things are so. We are called upon to join in the libel upon our constituents. The answer to the speech says,

that we know of the tumult and disorder, but as to actual insurrection, it more modestly makes us say, "That we are sorry to hear that there is an insurrection." Of the tumults and disorders then we have personal knowledge; but the insurrection we learn from his majesty's speech!

Mr. Fox next adverted to the affairs of France, and to the expression of Mr. Wallace, who adduced as a proof that there existed in this country a dangerous spirit, "the drooping and dejected aspect of many persons, when the tidings of Dumourier's surrender arrived in England," Admitting the fact in its utmost extent, Mr. Fox could not see that it was to be considered as a proof of discontent, and of preference to republican doctrines, that men should droop and be dejected when they heard that the armies of despotism had triumphed over an army fighting for liberty. What, he asked, could any man who loves the constitution of England, who feels its principles in his heart, wish success to the duke of Brunswick, after reading a manifesto which violated every doctrine that Englishmen hold sacred, which trampled under foot every principle of justice and humanity, and freedom, and true government?

He proceeded to reprobate that system of tyranny and coercion which insisted that Englishmen are not to dare to have any genuine feelings of their own; that they must rejoice by rule; that they must not think but by order; that they must rejoice and grieve, just as it shall suit the taste, the caprice, or the ends of ministers.

See, said Mr. Fox, to what lengths they carry this system of intellectual oppression! Under various pretexts there have been tumults and disorders, but the true design was to overturn the constitution—So says the speech—and mark the illustration of the right honourable magistrate. "There have been various societies established in the city of London, instituted for the plausible purpose of merely discussing constitutional questions, but which were really designed to propogate

seditious doctrines." So then, by this new scheme of tyranny, we are not to judge of the conduct of men by their overt acts, but are to arrogate to ourselves at once the province and the power of the Deity; we are to arraign a man for his secret thoughts, and to punish him, because we choose to believe him guilty! 'You tell me indeed,' says one of the municipal inquisitors, 'that you meet for an honest purpose, but I know better—Your plausible pretext shall not impose upon me—I know your seditious design. I will brand you for a traitor by my own proper authority.' What innocence can be safe against such a power? What inquisitor of Spain, what agent of ancient or of modern tyranny, can hold so lofty a tone? Well and nobly, seasonably and truly, has the noble earl (Wycombe) said; and I would not weaken the sentiment by repeating the expression in terms less forcible than his own, but that the eternal truth cannot suffer by the feebleness of the terms in which it is conveyed—"There are speculative people in this country, who disapprove of the system of our government; and there must be such men as long as the land is free, for it is of the very essence of freedom, for men to differ upon speculative points." Is it possible to conceive, that it should enter into the imagination of freemen to doubt of this truth? The instant that the general sense of the people shall question this truth, and that opinion shall be held dependent on the will of ministers and magistrates, from that moment I say, I date the extinction of our liberties as a people.

Now this, sir, continued he, is the crisis which I think so truly alarming. We are come to the moment, when the question is, whether we shall give to the king, that is, to the executive government, complete power over our thoughts; whether we are to resign the exercise of our natural faculties to the ministers for the time being; or whether we shall maintain, that in England no man is criminal, but by the commission of overt acts forbidden by the law. This I call a crisis more imminent and tremendous than any that the history of this coun

try ever exhibited. I am not so ignorant of the present state of men's minds, and of the ferment artfully created, as not to know that I am now advancing an opinion likely to be unpopular. It is not the first time that I have incurred the same hazard. But I am as ready to meet the current of popular opinion now running in favour of those high law doctrines, as in the year 1783 I was to meet the opposite torrent, when it was said, that I wished to sacrifice the people to the crown. I will do now as I did then—I will act against the cry of the moment, in the confidence that the reflection of the people will bear me out.

Mr. Fox then noticed the inconsistency of complaining that pamphlets of a seditious nature were circulated, when these pamphlets had not been suppressed by a court of law. That, he asserted, was the proper and effectual means of suppressing them; not by erecting every man into an inquisitor, a judge, a spy, and an informer. One extreme, added he, naturally leads to another. Those who dread republicanism fly for shelter to the crown. Those who desire reform, and are calumniated, are driven from despair to republicanism. And this is the evil that I dread. These are the extremes into which these violent agitations hurry the people, to the gradual decrease of that middle order of men who dread as much republicanism on the one hand, as they do despotism on the other. That middle order of men, who have hitherto preserved to this country all that is dear in life, I am sorry to say it, is daily lessening; but permit me to say, that while my feeble voice continues, it shall not be totally extinct; there shall at least be one man who will, in this ferment of extremes, preserve the centre point. I may be abused by one side, I may be libelled by the other; I may be branded at one and the same time with the terms of fire brand and luke-warm politician; but though I love popularity, and own that there is no external reward so dear to me as the good opinion and confidence of my fellow-citizens, yet no

temptation of such complacency shall ever induce me to join any association that has for its object a change in the basis of our constitution, or an extension of any of those bases beyond the just proportion. I will stand in the gap, and oppose myself to all the wild projects of a new fangled theory, as much as against the monstrous iniquity of exploded doctrines. I think the latter is more our present danger than the former. I see not merely in the panic of the timorous, but in the acts of the designing, cause for alarm against the most abhorrent doctrines.

In pursuing this idea, Mr. Fox animadverted upon some publications of a very absurd and disgraceful kind, which had been circulated by Mr. Reeves's association. In speaking of the calling out of the militia, he observed, When I first heard that the militia were called out, I felt more anxiety and consternation than ever possessed my mind. I thought that certainly they had heard of some actual insurrection, or impending invasion. But when I heard that they were not called out to enable ministers to send the troops to any distant part, to Ireland, or to Scotland (where they might know of disturbances, though I did not), but that troops were assembling round London, I firmly believed the whole to be a fraud; for I have friends in and about London, as intelligent, as vigilant, as much interested in the tranquillity of the metropolis, as the right honourable magistrate; and I was confident that an insurrection could not actually exist in London without being known. I pronounced it in my own mind to be a fraud, and I pronounce it here to be so. I am not given to make light assertions in this house, nor do I desire to receive implicit belief. I deprecate confidence on my bare assertion. On the contrary, I state, that I believe this pretext to be a fraud, and I entreat you to inquire, that you may ascertain the truth. I know there are societies who have indulged themselves, as I think, in silly and frantic speculations, and who have publish

ed toasts, &c. that are objectionable; but that there is any insurrection, or that any attempt was making to overthrow the constitution, I deny. Now if this assertion of ministers be a falsehood, is it an innocent falsehood? Are the people of this country playthings in the hands of ministers, that they may frighten them and disturb them at pleasure? Are they to treat them as some weak, jealous-pated, and capricious men treat their wives and mistresses—alarm them with false stories, that they may cruelly feast on the torture of their apprehensions, and delight in the susceptibility that drowns them in tears? Have they no better enjoyment than to put forth false alarms, that they know may draw from the people the soothing expressions of agitated loyalty? Or do they think that these expressions, generously, readily made, in favour of the king, whom the people rationally love, may extend their influence to all the persons who are near his throne? Indulging in this passion, they may keep us incessantly in the tumult of apprehension, until at last they so habituate the mind to dread the evil in this quarter, as to look for it in no other; or stun it by repeated shocks of fiction into an insensibility of real attack.

In commenting upon that part of his majesty's speech which indicated the apprehension of a war, Mr. Fox asserted, that there never was a period when this country had so much reason to wish for peace; there never was a period so little favourable to a rupture with France, or with any power. He instanced several cases in which negociation had prevented a war, and asked why we now disdained to negociate?—Because we had no minister at Paris? And why had we no minister? Because France is a republic! And so we are to pay in the blood and treasure of the people for a punctilio! He then noticed the pretext for the dispute, the opening of the Scheldt—I cannot believe, said Mr. Fox, that such an object can be the real cause. I doubt, even if a war on this pretext would be undertaken with the ap-

probation of the Dutch. What was the conduct of the French themselves under their depraved old system? The emperor threatened to open the Sheldt in 1786. Did the French go to war with him instantly to prevent it? No. They opened a negociation, and prevented it by interfering with their good offices. Mr. Fox desired to put it seriously to the conscience and honour of gentlemen to say, if they were not *aiding the object of republicans and levellers, if they agreed to plunge the country headlong into a war*, before due inquiries were made, and all rational means taken to obviate the effects which were apprehended?

Mr. Fox concluded by recommending, as the certain means of appeasing all discontents among the people, the removal of all actual and acknowledged grievances; and deprecated the indecent haste of committing themselves to assertions of an existing insurrection, till rigorous inquiry should be made, where it was to be found. He entreated parliament to avoid involving the people in the calamity of a war, without cooly reflecting on its necessity. He moved an amendment on the address, which simply pledged the house for an inquiry into the facts stated in his majesty's speech.

MR. WINDHAM.

On the same subject.

THOUGHT it necessary to apologize for voting on this occasion "with those whose measures he had *uniformly* and *conscientiously* reprobated." In the year 1784, on the accession of the present ministry to office, most unconstitutional measures had been adopted, the most un-

constitutional principles maintained; and the ministers had pretty uniformly adhered to the system on which they came into power: nay, he was of opinion that to these proceedings we might ascribe the evils of our present situation. Notwithstanding all this, he meant now to give a vote in their favour.

He asserted that there were serious and well-founded alarms. Could a man enter his own house, or could he walk into a field, without observing this? If a man confined himself in one room of his own house, he would know no more of what was going on in another, than he would know of what was going on in another country. He appealed to the house, whether there was not a general alarm through the whole country. It was notorious that there had been, and was now, a constant communication between persons in Paris and persons in London. The most pernicious pamphlets were gratuitously distributed. This was not all—they proceeded with the solemnity of an oath. (Here Mr. Windham was interrupted by the cry of *Prove, prove!*)—He said he had heard long ago the truth of what he had just stated, from very unquestionable authority,—an honourable member of that house; but the *fact was not of much consequence.*

The whole plan was supported by a purse, which he believed was made up in France. On putting these works of sedition into the hands of the labourer, they always told him they were intended for his instruction. He could not see the harm of preventing all endeavours to explain to a poor illiterate fellow, whose extent of powers was but barely adequate to the task of procuring food for his own subsistence, points which had divided the opinions of the ablest writers. He saw no great loss to society from putting an end to public-house political clubs, and ale-house debates on politics; in short, no reason why they should not be suppressed. Next came the question, Where will you draw the line—whom will you take up—and whom will you suffer to pass by?

or shall no man give his opinion upon the constitution? He said, this he could not determine; but he would call that treason in duodecimo, which was innocent in quarto.

With regard to the combined armies that marched against France, he believed their motives were good, and therefore he wished them success; and so he should, had their motives been ever so bad. He had been told that no country ought to intermeddle with the internal affairs of another: this might be true in a limited sense, but he could conceive many instances in which it ought to be departed from. He then noticed the proceedings of the French with respect to the king of Sardinia, and at Geneva, and observed that they had entirely departed from their famous maxim—"That France abandoned for ever all ideas of foreign conquest." He concluded by giving his approbation to ministers for having called out the militia.

MR. PITT.

On his Majesty's Message respecting the Correspondence between Lord Grenville and M. Chauvelin.

He said, that amidst the many important objects arising from the message of his majesty, which now came to be considered, there was one which particularly called for their attention. That attention, indeed, could not fail to be separately directed to that calamitous event (the death of the French king), that act of outrage to every principle of religion, justice, and humanity; an act, which in this country, and the whole of Europe, had excited but one general sentiment of indignation and abhorrence, and could not fail to produce the same sen-

timents in every civilized nation. It was in all its circumstances so full of grief and horror, that it must be a wish, in which all united, to tear it, if possible, from their memories, to expunge it from the page of history, and remove it for ever from the observation and comments of mankind.

> "Excidat ille dies ævo, neu postera credant
> Secula! Nos certe taceamus, et obruta multa
> Nocte tegi nostræ patiamur crimina gentis."

Such, he continued, were the words applied by an author of their own, to an occasion (the massacre of St. Bartholomew) which had always been deemed the standing reproach of the French nation, and the horrors and cruelties of which had only been equalled by those atrocious and sanguinary proceedings which had been witnessed in some late instances. After ascribing the late cruelties committed in France to the new-fangled principles propagated in that nation, and passing great encomiums upon the moderate government of England, he began to make some observations upon the papers laid before the house. He said it would appear, from the first paper, that the system upon which his majesty had uniformly acted, was founded on the very principles which had afterwards dictated the necessity of his entering upon hostile preparations. "His majesty had declined *taking any part in the internal government* of France, and had made a positive declaration to that effect." A paper on the table contained, on their part, a positive contract to abstain from any of those acts by which they had provoked the indignation of this country. In this paper they disclaimed all views of aggrandizement; they gave assurances of their good will to neutral nations; they protested against their entertaining an idea of interfering in the government of this country, or making any attempts to excite insurrection; upon the express ground (stated in the paper) that such interference, and such attempts, would be a violation of the law

of nations. They had themselves by anticipation, passed sentence upon their own conduct. During the whole summer, while France had been engaged in the war with Austria and Prussia, his majesty had in no shape departed from the neutrality which he had engaged to observe; nor did he, by the smallest act, give any reason to suspect his adherence to that system.

But what, he would ask, was the conduct of the French? They had immediately shewed how little sincere they were in their first assurances, by discovering intentions to pursue a system of the most unlimited aggrandizement, if they were not opposed and checked in their career. The first instance of their success in Savoy had been sufficient to unfold the plan of their ambition. They had immediately adopted the course to annex it for ever to their own dominions, and had displayed a resolution to do the same, wherever they should carry their arms. That they might not leave any doubt of their intention, by a formal decree they had stated their plan of overturning every government, and substituting their own; they threatened destruction to all who should not be inclined to adopt their system of freedom; and, by a horrid mockery, offered fraternization, where, if it was refused, they were determined to employ force, and to propagate their principles, where that mode should fail, by the mouths of their cannon. They established, in their instructions, to the commissioners whom they appointed to enforce the decree with respect to the countries entered by their armies, a standing revolutionary order; they instituted a system of organizing disorganization. And what was the reason which they assigned for all this? "The period of freedom," said they, "must soon come; we must then endeavour, by all means in our power, to accomplish it now; for should this freedom be accomplished by other nations, what then will become of us? Shall we then be safe?" They had rendered the Netherlands a province, in substance as well as name, entirely dependent on France. That

system pursued by the Jacobin societies, in concert with their correspondents, had given a more fatal blow to liberty, than any which it had ever suffered from the boldest attempts of the most aspiring monarch.

In the course of his speech Mr. Pitt openly granted that the Dutch had made no formal requisition for the assistance of this country. He read an extract from a letter, written by one of the French executive council, and addressed to all the friends of liberty in the seaports: "The king of England and his parliament mean to make war against us. Will the English republicans suffer it? Already these free men shew their discontent, and the repugnance which they have to bear arms against their brothers the French. Well, we will fly to their succour—we will make a descent on the island—we will lodge there fifty thousand caps of liberty—we will plant there the sacred tree, and we will stretch out our arms to our republican brethren—the tyranny of their government will soon be destroyed." From such circumstances as these he concluded, that the conduct and pretensions of the French were such, as were neither consistent with the existence or safety of this country. In the last paper which had been delivered they had given in an ultimatum, stating, that unless you accept such satisfaction as they have thought proper to give, they will prepare for war. He then moved the address to his majesty.

LORD MORNINGTON,

(Now Marquis of Wellesly.)

On the War with France.

His lordship contended, that the alternative of war and peace did not at present exist. Before we could relinquish the principles on which the war commenced, proof was necessary; either that the opinions which we had conceived of the views of France were erroneous—that the war was become desperate and impracticable—or that, from some improvement in the system and principles of the French, the justice and necessity, which prompted us to commence the war no longer co-operated. His lordship ascribed to France unlimited views of aggrandizement; ambition connected with principles subversive of all regular government. In support of his opinion, he adduced the act of fraternity, the assumption of sovereignty in Savoy and the Netherlands, the opening of the Scheldt, and the apparent designs of hostility against Holland. That such were their motives, his lordship contended, from the pamphlet written by M. Brissot, the conduct of the French residents in America and Constantinople, and the scheme of emancipating and arming the negroes in the West Indies. From all these proofs, his lordship was fully convinced of the original justice and necessity of the war. The original justice of our cause had received additional confirmation from subsequent events.

With respect to the invincibleness of the French, his lordship compared the situation in which we stood at the commencement of the campaign with the present

time; and declared, that the campaign in Flanders, "had been productive of the most considerable acquisitions both of territory and revenue," which this country had ever obtained in one year in that quarter. The prospect abroad was, he thought, equally favourable. His lordship entered into a history of the French revolution from the overthrow of the Brissotine faction, and of the internal state of France. He detailed the atrocities of the French, and represented the existing government as the utmost excess of tyranny. He then entered at great length into their system of finance, which he conceived was in the most ruinous state; and spoke of the abolition of religion, which had certainly been much less beneficial to the treasury than was generally supposed. His lordship proceeded further to explain the regulations of the French respecting agriculture, commerce, and trade; contrasted their situation with that of the English, in the minds of whom there was a general conviction that they are all involved in the issue of the present contest, and a firm determination to prosecute it with vigour. From all these his lordship deduced the strongest hopes of a favourable issue to the war.

The next point to be considered was, whether we could secure ourselves from the inroad of the tyrannical system of France by any other means than the continuance of our present exertions. In proportion as this system of tyranny consumed the property of France, it must endeavour to repair its disordered finances by foreign plunder. It must be the immediate interest of a government, founded upon principles contrary to those of surrounding nations, to propagate the doctrines abroad by which it subsists at home, and to subvert every constitution which can form a disadvantageous contrast to its own absurdities. "Nothing (said he) can secure us against the future violence of the French, but an effectual reduction of their present power. A peace founded on any other principles would not only be illusory,

but produce the most fatal consequences to all our most valuable interests. Nor would the French treat with us for peace, without the surrender of every advantage we had gained by the war, and a full recognition of the sovereignty of the people; we must acknowledge the right of France to the duchy of Savoy, and surrender to her the Netherlands and the principality of Liege. National honour, and a sense of our immediate interest, forbad such a measure. After such concessions, what further indignities might we not expect? Were the French to concede any of these points, which his lordship thought improbable, since it had been declared death to propose an infraction of these preliminary articles, the whole transaction would, on the first favourable occasion, be imputed as a crime to those who had conducted it; the stipulations of a treaty, commenced in open defiance of the law, would be easily annulled; and we should discover too late our fatal error, in having relaxed our efforts, precisely at the most critical period of the war, for the purpose of negotiating with a government utterly unable to fulfil its engagements. His lordship did not however conceive, that the French had any desire to enter into engagements of that kind with us; he thought we had the most reasonable prospect of ultimate success; and that not only the characters, the dispositions, and the interests of those who exercised the powers of government in France, but the very nature of that system they had established, rendered a treaty of peace upon safe and honourable terms impracticable at present, and consequently required a vigorous and unremitting prosecution of the war.

MR. SHERIDAN.

I have retained the compliment with which the following speech is prefaced in the report from which it is taken, "that it was the most brilliant reply that perhaps was ever made in the House of Commons," because I am half inclined to be of the same opinion. The expression *brilliant* belongs peculiarly to Sheridan's style of eloquence. For brilliant fancy, for vivacity of description, for animation, for acuteness, for wit, for good sense and real discrimination, for seeing the question at once just in the right point of view, being neither perplexed with the sophisms of others, nor led away by the warmth of his own imagination, he was (I do not say he is) equal to any of his competitors; for he has got none left (except indeed Windham, who is however as different a man as can be). I have made more *fuss* about some other speakers, but to say the truth, he is about as good as the best of them. He was undoubtedly the second public man after Fox, both with respect to talents, and firmness to his principles.

His Speech in Reply to Lord Mornington.

THE speech of Lord Mornington drew from Mr. Sheridan the most brilliant reply that perhaps was ever made in the British house of commons. He admired, he said, the emphasis of the noble lord, in reading his voluminous extracts from his various French documents; he admired too the ingenuity he had displayed in his observations on those extracts; but most of all he admired that the noble lord should have taken up so much time in quoting passages, of which

not one in ten was to the purpose. No part of the king's speech, it seems, had more fully met the approbation of the noble lord, than that in which he warned us to *keep in sight the real grounds and origin of the present war.* For his part, he knew not how to keep in sight what had never been in his view. The noble lord however appeared to understand his majesty's allusion, and to recollect the means by which we had been brought into the war. We had been brought into it by repeated declamations on all that the phrensy, the folly, and rashness of individuals in France had either said or written, by which the passions of this country could be roused, or their fears excited, in order to second the views of those who had determined to plunge us into it at all events. The noble lord conceived, that a repetition of the same means which had induced us to commence hostilities was the best means to persuade us to continue them. Hence the farrago of the well known extracts and anecdotes from the noble lord. But what was the sum? That enormities had been committed in France, which disgusted and sickened the soul. This was most true; but what relation had these to England? And, if they had, what did it prove? What, but that eternal and unalterable truth, that a long established despotism so far degraded and debased human nature as to render its subjects, on the first recovery of their rights, unfit for the exercise of them? But he should always meet with reprobation the inference from this truth, that those who had long been slaves ought ever to continue so. That we and all the powers of Europe had reason to dread the madness of the French, Mr. Sheridan agreed; but was this difficult to be accounted for? Wild and unsettled as they must necessarily be from the possession of such power, the surrounding states had goaded them into a paroxysm of madness, fury, and desperation. We called them monsters, and hunted them as monsters. The conspiracy of Pilnitz, and the brutal threats of the abettors of that

plot, had to answer for all the additional horrors that had since disgraced humanity. We had covenanted for their extermination, and now complained that they turned upon us with the fury that we had inspired. The noble lord, said he, after dwelling so long on the pamphlet of Brissot, draws this important conclusion: That the government adopted by France cannot stand. I agree to his conclusion; and what remains but to leave it to the natural workings of the discords it is calculated to engender? If it will not stand itself, it is unnecessary for us to attack it. The noble lord has attempted to shew from his pamphlet, that France has not only been the aggressor in this war, but that it is still desirous of continuing it. His quotations have however only proved, that after a short experience all parties retracted their opinions and practices; and so far from boasting of having provoked a war with England, the strongest reproach that the different factions could throw against each other, was the accusation of having been accessary to involving the country in a war with the only power in Europe, with whom France was eager to continue at peace. All this was proved from the quotations made by the noble lord, and the pamphlet proved to a certainty, that both parties were earnest to avoid a rupture with England, and that there are none who may not at this moment be reasonably supposed to be inclined to put a stop to hostilities.

The noble lord, continued Mr. Sheridan, thinks he has established a great deal, in proving that all parties in the convention were fond of the system of *fraternizing*. The noble lord would have been more candid had he dated the origin of the system; it would not have been less fair to have noticed that this system has been totally abandoned. If he refers to it as a motive for our entertaining a just jealously of them, he ought to admit their abandonment of it as a ground for our abandoning that jealously. If their professing such a doctrine was a provocation to hostility on our part, their retract-

ing it is an opening to reconciliation. From the moment they solemnly disavowed all intention or disposition to interfere in the governments of other nations, why should not we have renounced any intention of interfering in theirs? But instead of this, what has been our conduct? We continue to remind and reproach the French with their unjust and insolent conduct in respect to Brabant and Geneva, at the same time that we adopt ourselves, and act upon, the very principles they have abjured; or rather upon principles of still more extravagant insolence and injustice. Who did not reprobate the folly and profligacy of endeavouring to force upon the people of Brabant French forms, French principles, and French creeds? of dragging them to the tree of liberty, and forcing them to dance round its root, or to hang upon its branches? But what has been the conduct of Great Britain, so loud in the condemnation of such tryanny under the mask of liberty? What has been her conduct to Genoa? to Switzerland? to Tuscany? and, as far as she dared, to Denmark and to Sweden? for her insolence has been accompanied by its usual attendant, meanness. Her injustice has been without magnanimity. She wished to embark the world in the confederacy against France, the moment she thought proper to join it: the neutrality, of which she herself boasted but a month before, became instantly a heinous crime in any other state of Europe. And how has she proceeded? With those that are powerful, and whose assistance would have been important, she has only expostulated, and prevaricated; but in how little as well as odious a light has she appeared, when threatening and insulting those petty states, whose least obedience to her tyrannic mandates might bring great peril on themselves, and whose utmost efforts could give but little aid to the allies? The noble lord has, with a just indignation, execrated the *cruel* and *perfidious* conduct of the fraternizing French to the Brabanters; but will he defend the fraternity of the *just* and *magnanimous* English to the

Genoese? Have we not adopted the very words as well as spirit of democratic tyranny? We say to the timid helpless Genoese, "You have no right to judge for yourselves; we know what is best for you; you *must* and *shall*, make a common cause with us; you must adopt *our* principles, *our* views, *our* hatreds, and *our* perils; you must tremble at dangers which do not threaten you, and resent injuries which have never been offered to you; you must shed your republican blood in the cause of royalty; in short, you must *fraternize* with us; you must be our *friends*, our *allies*. If you hesitate, we will beat your walls about your ears, slaughter your people, and leave your city in smoaking ruins, an example to other petty states of the magnanimity of the British arms, and of the justice and moderation of British counsels."

With respect to M. Gennet's unwarrantable desire to introduce a fraternizing spirit into America, Mr. Sheridan noticed the different conduct pursued by that nation and the court of London. Both, he said, had been equally insulted; attempts had been equally made to spread the sentiments of the republic; yet from the different counsels that directed the two nations, America remained the undismayed, undegraded, and unembarrassed spectator of the broils of Europe; while we are engaged in a struggle (as we had been this day told by ministers) not for our glory and prosperity, but for our actual existence as a nation.

Mr. Sheridan next noticed the opinion of the noble lord, founded upon Brissot's pamphlet, in which the minister Monge is mentioned as having promised in October, to have thirty ships of the line at sea from Brest in April, and fifty in July, that the French had always intended to make war against us. This, however, was prevented by the *vigorous* measures of ministry. What were these vigorous measures of a vigilant ministry, that defeated the equipment of fifty ships of the line? They stopped two corn ships destined for France! But how

came it to pass, if our ministers had this intelligence in October, that no naval preparations were commenced on our part till February? The noble lord, still pursuing his authority, Brissot, quotes that author's recommendation to the English of a pamphlet of Condorcet's, addressed to our parliamentary reformers, who encourages us, it seems, to proceed, to disregard numbers, assuring us (being well informed doubtless of our object) that "revolutions must always be the work of the minority. Every revolution is the work of a minority. The French revolution was accomplished by the minority!" Nay, according to Brissot, it was the work of not more than twenty men! Such is the exertion that arises from the confidence of those who look to spirit and energy alone for success, and not to numbers. If this be true, continued Mr. Sheridan, it certainly is a most ominous thing for the enemies of reform in England; for if it holds true of necessity, that the minority still prevails in national contests, it must be a consequence, that the smaller the minority, the more certain must be the success. In what a dreadful situation then must the noble lord be, and all the alarmists! for never, surely, was the minority so small, so thin in number, as at present. Conscious, however, that M. Condorcet was mistaken in our object, I am glad to find, that we are terrible in proportion as we are few; I rejoice that the liberality of secession, which has thinned our ranks, has only served to make us more formidable. The alarmists will hear this with new apprehensions; they will, no doubt, return to us, with a view to diminish our force; and encumber us with their alliance, in order to reduce us to insignificance. But what has the nonsense any French pamphleteer may have written, or the notions he may have formed of the views of parties in this country, to do with the question; or how can it be gravely urged as a proof of the determination of the French people to attack us?

Mr. Sheridan, in continuation, contended, that the

arguments adduced by the noble lord, to prove the hostile disposition of France towards this country, were nugatory, or worse, as they in some instances proved the direct contrary. In support of this opinion, he appealed to facts, to prove the growing inveteracy of our ministry, from the beginning of the revolution to the death of the king, the treaty of Pilnitz, the departure of our minister from Paris, the seizure of French property in neutral vessels, the banishing of French subjects, the violation of the treaty of commerce, and the dismissal of the ambassador. Notwithstanding these provocations, the French solicited, expostulated, sent another negociator, and abstained from the invasion of Holland, when their arms appeared irresistible. Every fact declared that we forced France into the quarrel. Which party first said the words, "We are at war," was a trivial and childish distinction. Granting then this to be a war of sound sense, policy, and justice, still (said the honourable gentleman) it was a war of choice on the part of Great Britain; and from that responsibility the minister nor can, nor shall disengage himself.

Mr. Sheridan then proceeded to state, that all the professed objects for which we had been at war were obtained, and that there was no doubt of the readiness of the French to treat with us upon the principle of *being left to the exercise of their own will within their own boundaries*. Let the experiment be made. If they prefer and persist in war, then I will grant that the noble lord will have some reason to maintain, that their minds were always disposed to that measure, and that war could not have been avoided on our part. But till then, I am astonished that the minister who sits near the noble lord, does not feel it necessary to his own dignity to oppose himself this paltry argument of the act of aggression having come from them, instead of leaving that task to us, to whom, comparatively, the fact is indifferent. When he hears this called a war of necessity and defence, I wonder he does not feel ashamed of the meanness

which it spreads over the whole of his cause, and the contradiction which it throws among the greater part of his arguments. Will he meet the matter fairly? Will he answer to this one question distinctly? If France had abstained from any aggression against Great Britain, and her ally, Holland, should we have remained inactive spectators of the last campaign, idle, apart, and listening to the fray; and left the contest to Austria and Prussia, and whatever allies they could themselves have obtained? If he says this, mark the dilemma into which he brings himself, his supporters, and the nation. This war is called a war unlike all other wars that ever man was engaged in. It is a war, it seems, commenced on a different principle, and carried on for a different purpose, from all other wars it is a war in which the interests of individual nations are absorbed in the wider considerations of the interests of mankind: it is a war in which personal provocation is lost in the outrage offered generally to civilized man: it is a war for the preservation of the possessions, the morals, and the religion of the world: it is a war for the maintenance of human order, and the existence of human society. Does he then mean to say, that he would have sat still, that Great Britain would have sat still, with arms folded, and, reclined in luxurious ease on her commercial couch, have remained an unconcerned spectator of this mighty conflict, and have left the cause of civil order, government, morality, and religion, and its God, to take care of itself, or to owe its preservation to the mercenary exertions of German and Hungarian barbarians, provided only that France had not implicated Great Britain by a special offence, and *forced* us into this cause of divine and universal interest by the petty motive of a personal provocation? He will not tell us so; or, if he does, to answer the purpose of the hour, will he hold the same language to our allies? Will he speak thus to the emperor? Will he speak thus to the king of Prussia? Will he tell them, that we are not volunteers, in this

cause? that we have no merit in having entered into it? that we are in confederacy with them, only to resent a separate insult offered to ourselves, which redressed, our zeal in the cause at least, if not our engagements to continue in the alliance must cease? Or if he would hold this language to those powers, will he repeat it to those lesser states whom we are hourly dragging into this perilous contest, upon the only plea by which such an act of tyrannical compulsion can be attempted to be palliated, namely, that a *personal ground of complaint* against the French is not necessary to their enmity; but that, as the league against the people is the cause of human nature itself, every country where human feelings exist has already received its provocation in the attrocities of this common enemy of human kind? But why do I ask him whether he would hold this language to the emperor or the king of Prussia? The king of Prussia, sir, at this moment tells you, even with a menacing tone, that it is your own war; he has demanded from you a subsidy and a loan; you have endeavoured to evade his demand, by pleading the tenor of your treaty of defensive alliance with him, and that, as the party attacked, you are entitled to the whole of his exertions: he denies that you are the party attacked, though he applauds the principles upon which you are the aggressor; and is there another power in Europe to whom our government will venture to refer the decision of this question? If what I now state is not the fact, let me see the minister stand up, and contradict me. If he cannot, let us no longer bear that a fallacy should be attempted to be imposed on the people of this country, which would be treated with scorn and indignation in every other corner of Europe. From this hour, let him either abandon the narrow ground of this being a war of necessity, entered into for self-defence, or give up the lofty boast of its being a war of principle, undertaken for the cause of human nature.

Mr. Sheridan asked, whether our arms were likely to produce in France a government that would give a rea-

sonable expectation of duration and security to peace? Nothing could produce this but the reformation and union of the nation of France: and then they may prescribe their own terms; we must lie at their mercy. The honourable gentleman then asked, whether, with all our boast of having weakened the French in the last campaign, the allies were nearer to the object they had in view than they were at the commencement of the war? Our first expectations were founded upon the great body of French royalists, who were now destroyed and annihilated. Our second hope was derived from the two contending factions in France. But what has happened? To the astonishment of the world, the weaker of these factions has not only extinguished the other, but the conquering party appear from that moment to have possessed not only more powers, more energy, and more confidence, than any of their predecessors, but even a vigour and fascination of influence, unparalleled in the history of mankind. We were told also, that the system of disgusting and cashiering all the old experienced officers must create insubordination and mutiny in the army, bring down the vengeance of the soldiers upon the convention, and establish a military tyranny. Yet the reverse was the fact: notwithstanding repeated provocation, there was scarcely an instance of military revolt against any of the decrees. The means of supporting these armies, we were told could not last half the campaign; but the fact flatly contradicted the expectation. Thus disappointed in our negative resources, let us endeavour to find a compensation in the increased strength and spirit of the grand alliance. What was the state of the allies when we entered into the confederacy? The force of Austria unbroken, though compelled to abandon Brabant, and the power of the veteran troops of Prussia absolutely untried, though the seasons and disease had induced them to retire from Champagne. What is their state now? Defeat has thinned their ranks, and disgrace has broken their spi-

rit. They have been driven across the Rhine by French recruits, like sheep before a lion's whelp, and that not after the mishap of a single great action lost, but after a succession of bloody contest of unprecedented fury and obstinacy. Where now is the scientific confidence with which we were taught to regard the efforts of discipline and experience, when opposed to an untrained multitude and unpractised generals? The jargon of professional pedantry is mute, and the plain sense of man is left to its own course. But have the efforts of our other allies made amends for the misfortunes of these two principals in the confederacy? Have the valor and activity of the Dutch by land and sea exceeded our expectations? Has the Portuguese squadron lessened the extent and lightened the expence of our naval exertions? Have the Italian states whom we have bribed or bullied into our cause, made any sensible impression upon the common enemy? Has our great ally the empress of Russia contributed hitherto any thing to the common cause, except her praises and her prayers? Are all or any of them in better spirits to act, or fuller of resource to act effectually, than they were at the commencement of the last campaign? But let me (said he) throw all these considerations aside, each one of which, however, would singly outweigh the whole of the advantages placed in the opposite scale as gained by the allies, and let me ask, is it nothing that the great and momentous experiment has been made, and that a single nation, roused by a new and animating energy, and defending what they conceive to be their liberty, has proved itself to be a match for the enmity and the arms of the world? Is the pride which success in such a conflict has given to the individual heart of every man who has shared in it to be estimated as nothing? Are the triumphs and rewards which the politic prodigality of their government heaps on the meanest of the ranks who suffer or distinguish themselves in their battles, fruitless and of no effect? Or, finally, are we to hold as a matter of slight consideration, the daring and enthusiastic spirit, soli-

citous of danger, and fearless of death, which gradually was kindled by all these circumstances, but which has now spread with electrical rapidity among such a race of people, so placed, so provided, and so provoked? Be he who he may that has reflected on all these circumstances, either singly or in the aggregate, and shall still say that the allies are at this moment nearer the attainment of their professed object than at the commencement of the last campaign, I say that man's mind is either clouded by passion, or corrupted by interest, or his intellects were never straightly framed.

In corroboration of his general position, the noble lord next details to us the manner in which they have either neglected or oppressed their commerce. I have no doubt but that all he has stated on this subject is true, and that they have done it possibly upon system. I should not be surprised to hear that some distinguished senator in that country, with a mind at once heated and contracted by brooding over one topic of alarm, had started up in the convention, and exclaimed, "Perish our commerce, live our constitution!" nor more should I be surprised to learn, that the mass of the people, bowing to his authority, or worked on by fictitious alarms and fabricated rumours of plots, seditions, and insurrections, should have improved upon this patriotic exhortation, and, agreeing that their constitution was certainly to be preferred to their commerce, should have conceived that they could not thoroughly shew the fervour of their zeal for the former, so well as by an unnecessary sacrifice of the latter. Whether the hint of this notable axiom was taken from the expressions of any enlightened member of our own commercial senate, or whether it was imported into this house from France, is what I cannot take upon me to decide. The only result worth our consideration is, that however their neglect of commerce may have abridged them of the luxuries and even comforts of life, it has not hitherto curtailed them in the means of military preparation, or slackened the sinews of war.

The honourable gentleman then proceeded to mention what he thought an unfair statement of the noble lord respecting the levies made in France for the support of the war, and contended that they were only intended to answer present purposes, and to subside as soon as a peace should take place.

The noble lord, said Mr. Sheridan, not content with the unfairness of overlooking all the circumstances which imperious necessity must inevitably impose upon a country circumstanced as France is, thinks it fair and candid to contrast the proceedings of their convention on the subject of supply and finance with the proceedings of the British minister, and of the British parliament! *We*, it seems, assist commerce instead of oppressing it. *We* lend the credit of the public exchequer to our private merchants; and for the means of carrying on the war, not even voluntary contributions are expected, unless it be in little female keep-sakes for the army, of gloves, mittens, night-caps, and under waistcoats. Certainly the contrast between the French means of supply and ours is obvious, and long may it continue so! But the noble lord pursues his triumph on this subject too far. Not content with simply alluding to it, which one would have imagined would have answered all his purposes, he endeavours to impress it more forcibly on our minds, by making a regular speech for our chancellor of the exchequer, and exultingly demanding what we should say, if his right honourable friend (Mr. Pitt) were to come down and propose to the British parliament such ways and means as the minister of finance in France is compelled to resort to? What should we think if he were to rise and propose, that all persons who had money or property in an unproductive state should lend it without interest to the public? If he were to propose, that all who had saved incomes from the bounty of the state should refund what they had received? What, finally, if all persons possessing fortunes of any size were called upon to give up the whole

during the war, or reserve to themselves only the means of subsistence, or at the utmost, 180 pounds a year? Upon my word, sir, I agree with the noble lord, that if his right honourable friend were to come down to us with any such proposition, he would not long retain his present situation. And with such a consequence inevitable, he need not remind us, that there is no great danger of our chancellor of the exchequer making any such experiment, any more than of the most zealous supporters of the war in this country vying in their contributions with the abettors of republicanism in that. I can more easily fancy another sort of speech for our prudent minister. I can more easily conceive him modestly comparing himself and his own measures with the character and conduct of his rival, and saying, "Do I demand of you, wealthy citizens, to lend *your* hoards to government without interest? On the contrary, when I shall come to propose a loan, not a man of you to whom I shall not hold out at least a job in every part of the subscription, and an usurious profit upon every pound you devote to the necessities of your country. Do I demand of you my fellow placemen and brother pensioners, that you should sacrifice any part of your stipends to the public exigency? On the contrary, am I not daily increasing your emoluments and your numbers in proportion as the country becomes unable to provide for you? Do I require of you, my latest and most zealous proselytes, of you who have come over to me for the special purpose of supporting the war—a war on the success of which you solemnly protest, that the salvation of Britain, and of civil society itself, depends—Do I require you, that you should make a temporary sacrifice in the cause of human nature, of the greater part of your private incomes? No, gentlemen, I scorn to take advantage of the eagerness of your zeal; and to prove that I think the sincerity of your zeal and attachment to me needs no such test. I will make your interest co-operate with your principle; I will quarter many of you on the public supply, instead

of calling on you to contribute to it; and while their whole thoughts are absorbed in patriotic apprehensions for their country, I will dexterously force upon others the favourite objects of the vanity or ambition of their lives."

After inveighing with much irony and at much length against the minister, and the deserters of his own party, Mr. Sheridan entered into the question so frequently urged, "With whom shall we treat?" and answered, "With those who have the power of the French government in their hands." I never will disdain, said he, to treat with those on whom I make war; and surely no wise nation ought to persevere in the idle disdain of a negociation with those that are a match for them in war.

Mr. Sheridan entered into a detail of all the proceedings of the campaign, to shew that government had not displayed a single exertion becoming the dignity of the nation, or calculated to accomplish the object of the war. He detailed several instances of apparent mismanagement, and thought it a duty he owed his constituents to inquire into our own object in the war, and those of our allies, who evidently had objects very different from what this country could be supposed to entertain.

MR. FOX.

I have hitherto deferred giving any opinion on the talents of eminent speakers, till I could present the reader with something that might justify the encomiums passed upon them: as the following is one of the most memorable of Mr. Fox's speeches, I shall prefix to it a sort of character, the best I can give, of this celebrated man. I shall begin with observing generally, that he excelled all his cotemporaries in the extent of his knowledge, in the clearness and distinctness of his views, in quickness of apprehension, in plain, practical common sense, in the full, strong, and absolute possession of his subject. A measure was no sooner proposed, but he seemed to have an instantaneous and intuitive perception of all its various bearings and consequences; of the manner in which it would operate on the different classes of society, on commerce or agriculture, on our domestic or foreign policy; of the difficulties attending its execution; in a word, of all its practical results, and the comparative advantages to be gained either by adopting or rejecting it. He was intimately acquainted with the interests of the different parts of the community, with the minute and complicated details of political economy with our external relations, with the views, the resources, and the maxims of other states. He was master of all those facts and circumstances which it was necessary to know in order to judge fairly and determine wisely; and he knew them not loosely or lightly, but in number, weight, and measure. He had also stored his memory by reading and general study, and improved his understanding by the lamp of history. He was well acquainted with the opinions and sentiments of the best authors, with the maxims of the most profound politicians, with the causes of the rise and fall of states, with the general passions of men, with the characters of different nations, and the laws and constitution of his own country. He was a man of a large, capacious, powerful, and highly cultivated intellect. No man could know more than he knew; no man's knowledge could be more sound, more plain and useful; no man's knowledge could lie in more connected and tangible masses; no man could be more perfectly master of his ideas, could reason upon them more closely, or decide upon them more impartially. His mind was full, even to overflowing. He was so habitually conversant with the most intricate and comprehensive trains of thought, or such was the natural vigour and exuberance of his mind, that he seemed to recal them without any effort. His ideas quarrelled for utterance. Instead of ever being at a loss for them, he was obliged rather to repress and rein them in, lest they should overwhelm and confound, instead of informing the understandings of his hearers.

If to this we add the ardour and natural impetuosity of his mind, his quick sensibility, his eagerness in the defence of truth, and his impa-

tience of every thing that looked like trick or artifice or affectation; we shall be able in some measure to account for the character of his eloquence. His thoughts came crowding in too fast for the slow and mechanical process of speech. What he saw in an instant, he could only express imperfectly, word by word, and sentence after sentence. He would, if he could, "have bared his swelling heart," and laid open at once the rich treasures of knowledge with which his bosom was fraught. It is no wonder that this difference between the rapidity of his feelings, and the formal round-about method of communicating them, should produce some disorder in his frame; that the throng of his ideas should try to overleap the narrow boundaries which confined them, and tumultuously break down their prison-doors, instead of waiting to be let out one by one, and following patiently at due intervals and with mock dignity, like poor dependents, in the train of words:—that he should express himself in hurried sentences, in involuntary exclamations, by vehement gestures, by sudden starts and bursts of passion. Every thing shewed the agitation of his mind. His tongue faltered, his voice became almost suffocated, and his face was bathed in tears. He was lost in the magnitude of his subject. He reeled and staggered under the load of feeling which oppressed him. He rolled like the sea beaten by a tempest*. Whoever, having the feelings of a man, compared him at these times with his boasted rival,—his stiff, straight, upright figure, his gradual contortions, turning round as if moved by a pivot, his solemn pauses, his deep tones, "whose sound reverbed their own hollowness," must have said, This is a man; that is an automaton†. If Fox had wanted

* See an excellent character of Fox by a celebrated and admirable writer, which appeared in the Morning Chronicle, November, 1806, from which this passage is taken as nearly as I could recollect it.

† I ought to beg pardon of the polite reader for thus rudely contrasting these two celebrated men and leaders of parties together. It has of late become more fashionable to consider them in the light of the United Friends. But as I am no sign-painter, I hope I may be excused for not adhering exactly to the *costume* of the times. This agreeable idea might however, if skilfully executed, be improved into a very appropriate sign for the tap-room of the house of commons. My Lord Howick the other day drew a pleasing picture of them *shaking hands in Elysium*. It must be owned that this is pretty and poetical. Happy, well assorted pair! Methinks I see you, bowing to one another, with repeated assurances of friendship and esteem, but half believed, just like—lord Grenville and lord Howick in the Park! This was probably what his lordship had in his mind at the time: but as our *young* orators generally love to shew that they have *read* the classics, so perhaps his lordship was willing to shew that he had not *forgot* them. It is pleasing to see great men sweetening the cares of state with the flowers of poetical allusion; condescending to turn with a benign countenance from the serious realities of life, to the lighter scenes of fable and romance;

grace he would have had it; but it was not the character of his mind, nor would it have suited with the style of his eloquence. It was Pitt's object to smooth over the abruptness and intricacies of his argument by the gracefulness of his manner, and to fix the attention of his hearers on the pomp and sound of his words. Lord Chatham always strove to *command* others; he did not try to convince them, but to overpower their understandings by the greater strength and vehemence of his own; to awe them by a sense of personal superiority; and he therefore was obliged to assume a lofty and dignified manner. It was to him they bowed, not to truth; and whatever related to *himself*, must therefore have a tendency to inspire respect and admiration. Indeed, he would never have attempted to gain that ascendant over men's minds that he did, if either his mind or body had been different from what they were; if his temper had not urged him to control and command others, or if his personal advantages had not enabled him to secure that kind of authority which he coveted. But it would have been ridiculous in Fox to have affected either the smooth plausibility, the stately gravity of the one, or the proud, domineering, imposing dignity of the other; or even if he could have succeeded, it would only have injured the effect of his speeches.* What he had to rely on was the

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still wandering, (as in their boyish days) with Dido and Æneas, and taking an imaginary trip from Downing street to the Elysian Fields, and from the Elysian Fields back again! After all, I do not know that it would be any disgrace to Mr. Fox to associate with Mr. Pitt in the other world, if we recollect the company he kept in this. Lord H. I believe, on the same occasion, quoted Dryden, and compared the late duke of Brunswick to Darius. Really, his lordship's researches in poetry are astonishing; they are almost as extensive and profound as his knowledge of the affairs of Europe, or of the fate of battles! There is some excuse, however, for this last mentioned quotation, as though the passage quoted was by no means new in itself, yet the particular application of it must certainly have been very new to his lordship's mind, and one which the public might not have been disposed to give him credit for without some positive evidence. To complete the solemnity of the scene, nothing more was wanting but for the whole house to have joined chorus in this affecting and well known specimen of elegiac sadness, particularly as it had been already set to music, one would suppose for this very purpose.

* There is an admirable, judicious, and truly useful remark in the preface to Spenser, (not by Dr. Johnson, for he left Spenser out of his poets, but by *one* Upton,) that the question was not whether a better poem might not have been written on a different plan, but whether Spenser would have written a better one on a different plan. I wish to apply this to Fox's *unguinly* manner. I do not mean to say that his manner was the best possible, (for that would be to say that he was the greatest man conceivable,) but that it was the best for him

strength, the solidity of his ideas, his complete and thorough knowledge of his subject. It was his business therefore to fix the attention of his hearers, not on himself, but on his subject; to rivet it there, to hurry it on from words to things; the only circumstance of which they required to be convinced with respect to himself was the sincerity of his opinions; and this would be best done by the earnestness of his manner, by giving a loose to his feelings, and by shewing the most perfect forgetfulness of himself, and of what others thought of him. The moment a man shews you either by affected words or looks or gestures, that he is thinking of himself, and you, that he is trying either to please or terrify you into compliance, there is an end at once to that kind of eloquence which owes its effect to the force of truth, and to your confidence in the sincerity of the speaker. It was however to the confidence inspired by the earnestness and simplicity of his manner, that Fox was indebted for more than half the effect of his speeches. Some others (as Lord Lansdown for instance) might possess nearly as much information, as exact a knowledge of the situation and interests of the country; but they wanted that zeal, that animation, that enthusiasm, that deep sense of the importance of the subject, which removes all doubt or suspicion from the minds of the hearers, and communicates its own warmth to every breast. We may convince by argument alone; but it is by the interest we discover in the success of our reasonings, that we persuade others to feel and act with us. There are two circumstances which Fox's speeches and Lord Chatham's had in common: they are alike distinguished by a kind of plain downright common sense, and by the vehemence of their manner. But still there is a great difference between them in both these respects. Fox in his opinions was governed by facts—Chatham was more influenced by the feelings of others respecting those facts. Fox endeavoured to find out what the consequences of any measure would be; Chatham attended only to what people would think of it. Fox appealed to the practical reason of mankind; Chatham to popular prejudice. The one repelled the encroachments of power by supplying his hearers with arguments against it; the other by rousing their passions and arming their resentment against those who would rob them of their birthright. Their vehemence and impetuosity arose also from very different feelings. In Chatham it was pride, passion, self-will, impatience of control, a determination to have his own way, to carry every thing before him*; in Fox it was pure good nature, a sincere love of truth, an ardent attachment to what he conceived to be right; an anxious concern for the welfare and liberties of mankind. Or if we suppose that ambition had taken a strong hold on both their minds, yet their ambition was of a very different kind: in the one it was the love of

* This may seem to contradict what I have before said of Chatham—that he spoke like a man who was discharging a duty, &c. but I there spoke of the tone he assumed, or his immediate feelings at the time, rather than of the real motives by which he was actuated.

power, in the other it was the love of fame. Nothing can be more opposite than these two principles, both in their origin and tendency. The one originates in a selfish, haughty, domineering spirit; the other in a social and generous sensibility, desirous of the love and esteem of others, and anxiously bent upon gaining merited applause. The one grasps at immediate power by any means within its reach; the other, if it does not square its actions by the rules of virtue, at least refers them to a standard which comes the nearest to it—the disinterested applause of our country, and the enlightened judgment of posterity. The love of fame is consistent with the steadiest attachment to principle, and indeed strengthens and supports it; whereas the love of power, where this is the ruling passion, requires the sacrifice of principle at every turn, and is inconsistent even with the shadow of it. I do not mean to say that Fox had no love of power, or Chatham no love of fame, (this would be reversing all we know of human nature,) but that the one principle predominated in the one, and the other in the other. My reader will do me great injustice if he supposes that in attempting to describe the characters of different speakers by contrasting their general qualities, I mean any thing beyond the *more* or *less:* but it is necessary to describe those qualities simply and in the abstract, in order to make the distinction intelligible. Chatham resented any attack made upon the cause of liberty, of which he was the avowed champion, as an indignity offered to himself. Fox felt it as a stain upon the honour of his country, and as an injury to the rights of his fellow citizens. The one was swayed by his own passions and purposes, with very little regard to the consequences; the sensibility of the other was roused, and his passions kindled into a generous flame, by a real interest in whatever related to the welfare of mankind, and by an intense and earnest contemplation of the consequences of the measures he opposed. It was this union of the zeal of the patriot with the enlightened knowledge of the statesman, that gave to the eloquence of Fox its more than mortal energy; that warmed, expanded, penetrated every bosom. He relied on the force of truth and nature alone: the refinements of philosophy, the pomp and pageantry of the imagination were forgotten, or seemed light and frivolous; the fate of nations, the welfare of millions, hung suspended as he spoke; a torrent of manly eloquence poured from his heart, bore down every thing in its course, and surprised into a momentary sense of human feeling the breathing corpses, the wire-moved puppets, the stuffed figures, the flexible machinery, the "deaf and dumb things" of a court.

I find (I do not know how the reader feels) that it is difficult to write a character of Fox without running into insipidity or extravagance. And the reason of this is, there are no splendid contrasts, no striking irregularities, no curious distinctions to work upon; no "jutting frieze, buttress, nor coigne of 'vantage," for the imagination to take hold of. It was a plain marble slab, inscribed in plain legible characters, without either hieroglyphics or carving. There was the

same directness and manly simplicity in every thing that he did. The whole of his character may indeed be summed up in two words—strength and simplicity. Fox was in the class of common men, but he was the first in that class. Though it is easy to describe the differences of things, nothing is more difficult than to describe their degrees or quantities In what I am going to say, I hope I shall not be suspected of a design to under rate his powers of mind, when in fact I am only trying to ascertain their nature and direction. The degree and extent to which he possessed them can only be known by reading, or indeed by having heard his speeches.

His mind, as I have already said, was, I conceive, purely *historical:* and having said this, I have I believe said all. But perhaps it will be necessary to explain a little farther what I mean. I mean, then, that his memory was in an extraordinary degree tenacious of facts; that they were crowded together in his mind without the least perplexity, or confusion; that there was no chain of consequences too vast for his powers of comprehension; that the different parts and ramifications of his subject were never so involved and intricate but that they were easily disentangled in the clear prism of his understanding. The basis of his wisdom was experience: however, he not only knew what had happened; but by an exact knowledge of the real state of things, he could always tell what in the common course of events would happen in future. The force of his mind was exerted upon facts: as long as he could lean directly upon these, as long as he had the actual objects to refer to, to steady himself by, he could analyse he could combine, he could compare and reason upon them, with the utmost exactness; but he could not reason *out* of them. He was what is understood by a *matter-of-fact* reasoner. He was better acquainted with the concrete masses of things, their substantial forms, and practical connections, than with their abstract nature or general definitions. He was a man of extensive information, of sound knowledge, and clear understanding, rather than the acute observer or profound thinker. He was the man of business, the accomplished statesman, rather than the philosopher. His reasonings were generally speaking, calculations of certain positive results, which, the *data* being given, must follow as matters of course, rather than unexpected and remote truths drawn from a deep insight into human nature, and the subtle application of general principles to particular cases. They consisted chiefly in the detail and combination of a vast number of items in an account, worked by the known rules of political arithmetic; not in the discovery of bold, comprehensive, and original theorems in the science. They were rather acts of memory, of continued attention, of a power of bringing all his ideas to bear at once upon a single point, than of reason or invention. He was the attentive observer who watches the various effects and successive movements of a machine already constructed, and can tell how to manage it while it goes on as it has always done; but who knows little or nothing of the principles on which it is constructed, nor how to set it right, if it

becomes disordered, except by the most common and obvious expedients. Burke was to Fox what the geometrician is to the mechanic. Much has been said of "the prophetic mind" of Mr. Fox. The same epithet has been applied to Mr. Burke till it has become proverbial.* It has I think been applied without much reason to either. Fox wanted the scientific part, Burke wanted the practical. Fox had too little imagination, Burke had too much: that is, he was careless of facts, he was led away by his passions to look at one side of a question only. He had not that fine sensibility to outward impressions, that nice *tact* of circumstances, which is necessary to the consummate politician. Indeed his wisdom was more that of the legislator than of the active statesman. They both tried their strength in the Ulysses' bow of politicians, the French Revolution: and they were both foiled. Fox indeed foretold the success of the French in combating with foreign powers. But this was no more than what every friend of the liberty of France foresaw or foretold as well as he. All those on the same side of the question were inspired with the same sagacity on the subject. Burke, on the other hand, seems to have been before-hand with the public in foreboding the internal disorders that would attend the revolution, and its ultimate failure; but then it is at least a question whether he did not make good his own predictions: and certainly he saw into the causes and connection of events much more clearly after they had happened than before. He was however undoubtedly a profound commentator on that Apocalytical chapter in the history of human nature, which I do not think Fox was. Whether led to it by the events or not, he saw thoroughly into the principles that operated to produce them; and he pointed them out to others in a manner which could not be mistaken. I can conceive of Burke, as the genius of the storm, perched over Paris, the centre and focus of anarchy, (so he would have us believe) hovering "with mighty wings outspread over the abyss, and rendering it pregnant," watching the passions of men gradually unfolding themselves in new situations, penetrating those hidden motives which hurried them from one extreme into another, arranging and analysing the principles that alternately pervaded the vast chaotic mass, and extracting the elements of order and the cement of social life from the decomposition of all society; while Charles Fox in the mean time dogged the heels of the allies, (all the way calling out to them to stop) with his sutler's bag, his muster-roll, and army estimates at his back. He said, You have only fifty thousand troops, the enemy have a hundred thousand: this place is dismantled, it can make no resistance: your troops were beaten last year, they must therefore be disheartened this. This is excellent sense and sound reasoning, but I do not see what it has to do with philosophy. But why

* Even Mr. Shee has adopted this expression with respect to Burke, who never adopts any expression till it is grown so common that he cannot possibly be accused of plagiarism.

was it necessary that Fox should be a philosopher? Why, in the first place, Burke was a philosopher, and Fox, to keep up with him, must be so too. In the second place, it was necessary, in order that his indiscreet admirers, who have no idea of greatness but as it consists in certain names and pompous titles, might be able to talk big about their patron. It is a bad compliment we pay to our idol, when we endeavour to make him out something different from himself; it shews that we are not satisfied with what he was. I have heard it said that he had as much imagination as Burke. To this extravagant assertion I shall make what I conceive to be a very cautious and moderate answer: that Burke was as superior to Fox in this respect as Fox perhaps was to the first person you would meet in the street. There is in fact hardly an instance of imagination to be met with in any of his speeches; what there is, is of the rhetorical kind. I may, however, be wrong. He might excel as much in profound thought and richness of fancy, as he did in other things; though I cannot perceive it. However, when any one publishes a book called The Beauties of Fox, containing the original reflections, brilliant passages, lofty metaphors, &c. to be found in his speeches, without the detail or connection, I shall be very ready to give the point up.

In logic Fox was inferior to Pitt—indeed, in all the formalities of eloquence, in which the latter excelled as much as he was deficient in the soul or substance. When I say that Pitt was superior to Fox in logic, I mean that he excelled him in the formal division of the subject, in always keeping it in view, as far as he chose; in being able to detect any deviation from it in others; in the management of his general topics; in being aware of the mood and figure in which the argument must move, with all its nonessentials, dilemmas, and alternatives; in never committing himself nor ever suffering his antagonist to occupy an inch of the plainest ground, but under cover of a syllogism. He had more of "the dazzling fence of argument," as it has been called. He was, in short, better at his weapon. But then, unfortunately, it was only a dagger of lath that the wind could turn aside; whereas Fox wore a good trusty blade, of solid metal, and real execution.

I shall not trouble myself to inquire whether Fox was a man of strict virtue and principle; or in other words, how far he was one of those who screw themselves up to a certain pitch of ideal perfection, who, as it were, set themselves in the stocks of morality, and make mouths at their own situation. He was not one of that tribe, and shall not be tried by their self-denying ordinances. But he was endowed with one of the most excellent natures that ever fell to the lot of any of God's creatures. It has been said, that "an honest man's the noblest work of God." There is indeed a purity, a rectitude, an integrity of heart, a freedom from every selfish bias, and sinister motive, a manly simplicity and noble disinterestedness of feeling, which is, in my opinion, to be preferred before

every other gift of nature or art. There is a greatness of soul that is superior to all the brilliancy of the understanding. This strength of moral character, which is not only a more valuable but a rarer quality than strength of understanding (as we are oftener led astray by the narrowness of our feelings, than want of knowledge) Fox possessed in the highest degree. He was superior to every kind of jealousy, of suspicion, of malevolence; to every narrow and sordid motive. He was perfectly above every species of duplicity, of low art and cunning. He judged of every thing in the downright sincerity of his nature, without being able to impose upon himself by any hollow disguise, or to lend his support to any thing unfair or dishonourable. He had an innate love of truth, of justice, of probity, of whatever was generous or liberal. Neither his education, nor his connections, nor his situation in life, nor the low intrigues and virulence of party, could ever alter the simplicity of his taste, nor the candid openness of his nature. There was an elastic force about his heart, a freshness of social feeling, a warm glowing humanity, which remained unimpaired to the last. He was by nature a gentleman. By this I mean that he felt a certain deference and respect for the person of every man; he had an unaffected frankness, [illegible] liberality in judging of their conduct and motives. A refined humanity constitutes the character of a gentleman.* He was the true friend of his country, as far as it is possible for a statesmen to be so. But his love of his country did not consist in his hatred of the rest of mankind. I shall conclude this account by repeating what Burke said of him at a time when his testimony was of the most value. "To his great and masterly understanding he joined the utmost possible degree of moderation; he was of the most artless, candid, open, and benevolent disposition; disinterested in the extreme; of a temper mild and placable, even to a fault; and without one drop of gaul in his constitution."

On the same Subject.

He expressed his earnest desire to know for what purpose we were engaged in war. From the speech of

* To this character none of those who could be compared with him in talents had the least pretensions, as Chatham, Burke, Pitt, &c. They would *black-guard* and bully any man upon the slightest provocation, or difference of opinion.

the noble lord (Mornington) he fully understood, that while the Jacobin government existed in France, no propositions for peace could be made or received by us. The chancellor of the exchequer, though he reprobated a Jacobin government, had in the former year declared, that would be no bar to a negotiation, provided the safety of Holland and the navigation of the Scheldt were secured. He actually opened a negotiation with persons holding their authority from the Jacobin government of France, with M. Dumouriez and M. Chauvelin. Had peace, in consequence of these negotiations, been then preserved, what would have become of that reasoning? He should be told, perhaps, peace was not the object they had in view. The truth of this was indeed proved by the haughty conduct of lord Grenville towards M. Chauvelin: ministers began a negotiation which they had no design to perfect; they only sought a pretext for reconciling the minds of the people to war, in which they had previously determined to embark. The object was then said to be, to protect an ally; the real object was the subversion of the ruling power in France. Is it then at last decided, that we are to stake the wealth, the commerce, and the constitution of Great Britain, on the chance of compelling France to renounce certain opinions, for which we have already seen they are ready to sacrifice their lives? Mr. Fox contended, that every state had a full right to regulate its internal government; and asserted, that the manifesto of the duke of Brunswick, and the treaty of Pilnitz, had occasioned all the excesses of the French. Upon the subject of acts of aggression previous to the war, this difference subsisted. France was always ready to negotiate; the British government invariably refused. The former expressed the strongest dislike to war, and took every step to avoid it; the latter not only shewed an inclination for war, but endeavoured to inflame and provoke hostilities. Mr. Fox proceeded to consider, whether such a peace with France as might be attainable, was so

desirable as to induce us to treat; and whether a failure in the negotiation would be attended with such dangerous consequences as ought to induce us not to hazard the attempt. He noticed the great difference of our conduct with respect to France and Poland; and called the attention of the house to the nature of every peace that had ever been made. What offence or what pretension had appeared on the part of France at present towards this country, which had not occurred in the reign of Louis XIV? That monarch was a declared enemy to our revolution; he corresponded with the Jacobites of England; he endeavoured to overturn our establishment in church and state; he invaded Holland, and confined not his projects of conquest to the banks of the Rhine. Let us be satisfied with the best security we can procure, taking care by our vigilance and conduct, that the power with whom it is made shall have no temptation to break it. Were France to accede to our wishes, and take Louis XVII. for their king, would ministers in making a peace cede to them the places they have taken? No—the secretary of state says, we must have an indemnification for our expences in the war. What then would be the language of the French nation? They would complain of the deprivation, and seize the first opportunity of again entering upon a war. What security are we to have for peace, even upon the terms prescribed by ministers? He then pointedly ridiculed the boast of victory in his majesty's speech, and said, if the advantages were such as were represented, we could assume the dignified character of dictating the terms of peace. The right hon. secretary had stated, that our object in the West Indies was to obtain some indemnification for the expences of the war. This, however was a distinct object from giving such a government to France as ministers might think it safe to treat with, and in some respects contradictory. Whatever islands we took for Louis XVII. we must wish to keep; and, as we wished to keep the islands, must wish that Louis XVII. who

would have a right to demand them, should not be restored. Since the close of the last sessions of parliament, the successes of the French against both their internal and external enemies had been such, that Mr. Fox contended, there was no probability of soon, if at all, vanquishing that country. With respect to what had been urged of the ruinous state of their finances, he remembered similar statements had been made during the American war. There was then much talk of a vagrant congress, which was no where to be found, of their miserable resources, and their wretched paper money at 300 per cent. discount, of which, with any few half-pecne you had in your pocket, you might purchase to the amount of 100 dollars. The Americans were represented as exercising on each other the most intolerable tyranny, on the royalists the most unheard of cruelty; and it was then said, that if such principles were suffered to exist, if the cause of America was ultimately successful, there was an end of all civilized government; England must be trodden in the dust. "Yet then (said Mr. Fox) I recommended negotiation, and lived to see Great Britain treat with that very congress, so often vilified and abused, and the monarchy remain in sufficient vigour. God grant that I may not see her treat with the present government of France, in circumstances less favourable for making peace than the present!—Mr. Fox then endeavoured to shew, that by a negotiation for peace we might gain much, and could lose little. We should at least gain the point in this country, of having it generally believed, that the war was defensive; we should diminish the enthusiasm of the French, who would be disgusted with the refusal of the Jacobins to treat.

Mr. Fox strictly insisted on the misconduct of ministers in the prosecution of the war, and particularly noticed the failure of the expedition against Dunkirk, and the evacuation of Toulon. A plan was projected, said he, for making a descent on the coast of France, under the command of the earl of Moira. When we

ask why that expedition was so long talked of, and never undertaken, the right honourable secretary tells us, that it was delayed for want of troops. What, when we had at last hit upon a plan which was to conduct us to the gates of Paris, were we obliged to abandon it for want of men? Were no Hanoverians, Hessians, or even Austrians, to be found? Miserable indeed must be the alliances contracted by the minister, if neither those whose cause he had undertaken to support, nor those whom he had taken into his pay, would furnish him with men sufficient for an expedition, the success of which might have redeemed so many miscarriages! Did he defer that expedition till winter, because the difficult navigation of the coast of Normandy was peculiarly safe at that season? Or did he choose to delay it, because then the prince of Cobourg would be unable to act, and of consequence the French troops in that quarter would be disengaged? Thus, with a spirit worthy of a British minister, magnanimously displaying his contempt of danger, and his disdain to take the enemy at a disadvantage; defying every obstacle of the season, and braving the collected force of their armies.

Knowing these transactions, Mr. Fox contended that it would be the most contemptible sycophancy to concur in an address to his majesty, in which it was stated that the war had been successful. With respect to the avidity with which different states had put themselves under our protection, the duke of Tuscany had been compelled by menaces; our conduct to the Genoese had been modelled on the same principles; the Swiss cantons were prohibited from holding any commerce with France. The courts of Sweden and Denmark had the wisdom and firmness to resist every art and menace to induce them to relinquish their system of neutrality. At the time when ministers were inveighing against the French as invaders of the rights of nations, they were themselves daringly infringing the rights of independent states. They issued an order for seizing on American vessels bound to the West Indies, and have only retracted it from a dread

of the power of that country. How infinitely superior must appear the spirit and principles of general Washington, in his late address to congress, compared with the policy of modern European courts! Illustrious man! deriving honour less from the splendour of his situation than from the dignity of his mind; before whom all borrowed greatness sinks into insignificance, and all the princes and potentates of Europe (excepting the members of our own family) become little and contemptible! He has had no occasion to have recourse to any tricks of policy or arts of alarm; his authority has been sufficiently supported by the same means by which it was acquired, and his conduct has uniformly been characterised by wisdom, moderation, and firmness. He, feeling gratitude to France for the assistance received from her in that great contest which secured the independence of America, did not choose to give up the system of neutrality in favour of this country. Having once laid down that line of conduct, which both gratitude and policy pointed out as most proper to be pursued, not all the insults or provocation of the French minister Genet could at all put him out of his way, or bend him from his purpose. Entrusted with the care of the welfare of a great people, he did not allow the misconduct of another, with respect to himself, for one moment to interrupt the duty which he owed to them, or withdraw his attention from their interests. He had no fear of the Jacobins; he felt no alarm from their principles, and considered no precaution as necessary in order to stop their progress. The people over whom he presided he knew to be acquainted with their rights and their duties. He trusted to their own good sense to defeat the effect of those arts which might be employed to inflame or mislead their minds; and was sensible that a government could be in no danger, while it retained the attachment and confidence of its subjects—attachment, in this instance, not blindly adopted, confidence not implicitly given, but arising from the conviction of its excellence, and the experience of its blessings. I cannot indeed

(added Mr. Fox) help admiring the wisdom and the fortune of this great man; not that by the phrase *fortune* I mean in the smallest degree to derogate from his merit. But, notwithstanding his extraordinary talents and exalted integrity, it must be considered as singularly fortunate, that he should have experienced a lot, which so seldom falls to the portion of humanity, and have passed through such a variety of scenes, without stain and without reproach. It must indeed create astonishment, that placed in circumstances so critical, and filling for a series of time a station so conspicuous, his character should never once have been called in question; that he should in no one instance have been accused either of improper insolence, or of mean submission, in his transactions with foreign nations. It has been reserved for him to run the race of glory, without experiencing the smallest interruption to the brilliancy of his career. The breath of censure has not dared to impeach the purity of his conduct, nor the eye of envy to raise its malignant glance to the elevation of his virtues. Such has been the transcendant merit and the unparalleled fate of this illustrious man! But if the maxims now held forth were adopted, he who now ranks as the asserter of his country's freedom, and the guardian of its interests and honour, would be deemed to have disregarded and betrayed that country, and to have entailed upon himself indelible reproach. How did he act when insulted by Genet? Did he consider it as necessary to avenge himself for the misconduct or madness of an individual, by involving a whole continent in the horrors of war? No; he contented himself with procuring satisfaction for the insult, by causing Genet to be recalled; and thus at once consulted his own dignity and the interests of his country. Happy Americans! while the whirlwind flies over one quarter of the globe, and spreads every where desolation, you remain protected from its baneful effects, by your own virtues and the wisdom of your government. Separated from Europe by an immense ocean, you feel not the effects of those prejudices

and passions which convert the boasted seats of civilization into scenes of horror and bloodshed. You profit by the folly and madness of the contending nations, and afford in your more congenial clime an asylum to those blessings and virtues which they wantonly contemn, or wickedly exclude from their bosom! Cultivating the arts of peace under the influence of freedom, you advance by rapid strides to opulence and distinction; and if by any accident you should be compelled to take part in the present unhappy contest, if you should find it necessary to avenge insult, or repel injury, the world will bear witness to the equity of your sentiments and the moderation of your views, and the success of your arms will, no doubt, be proportioned to the justice of your cause! I have now nothing more with which to trouble the house; I am sensible, indeed, that at this advanced hour I have already detained them too long. But I was anxious to put the question upon its true footing, and to free it from that misrepresentation in which it has been so studiously involved. We have of late been to much accustomed to invective and declamation; addresses to our prejudices and passions have been substituted instead of appeals to our reason. But we are met here, not to declaim against the crimes of other states, but to consult what are the true interests of this country. The question is not, what degree of abhorrence we ought to feel of French cruelty, but what line of conduct we ought to pursue, consistently with British policy. Whatever our detestation of the guilt of foreign nations, we are not called to take upon ourselves the task of avengers; we are bound only to act as guardians of the welfare of those with whose concerns we are immediately entrusted. It is upon this footing I have argued the question. Mr. Fox concluded by proposing an amendment, recommending to his majesty to treat for a peace with France upon safe and honourable terms, without any reference to its existing form of government.

MR. ADAIR,

On the introduction of Foreign Troops into the Kingdom.

He contended, that so far from the king being empowered to maintain foreign troops without the consent of parliament, he could at no period of the English history call out the native troops without that consent. During the operation of the feudal laws, the monarchs did not levy troops merely as kings, but as the territorial lords of the country. That at common law there existed no right in the crown to embody any armed force within the country, was clear from the first establishment of the militia in the reign of Charles II. At that time the greater part of the feudal tenures were abolished, and the system of national defence founded upon them of course fell to the ground. In their stead, parliament established a regular national militia, because they knew that the king by his prerogative had no power to provide for internal defence. From that time a system had been gaining ground of having a regular body of forces, in the nature of a standing army, which had become in some degree a necessary measure. But this army must be annually voted by parliament, and a mutiny bill yearly passed for its regulation. The jealousy of parliament on the prerogative of the crown to levy troops, commenced at a very early period, and was evinced by several acts and resolutions of parliament. In the reign of Edward III. an act was passed which enacted, that no person should be called out of the shire in which he lived, except in cases of insurrection or

invasion; and he could not conceive our ancestors would be guilty of such a solecism in politics as to prevent the drawing forth our native forces except in times of extraordinary danger, and yet leave to the crown the right of bringing into the kingdom an indefinite number of foreign troops whenever it pleased. The 25th of the same king restricts this military force to such as were bound by their tenure and possessions to defend the country. Respecting the militia, though composed of persons peculiarly interested in the welfare of the kingdom, the king is not by law wholly invested with the control of these troops: even in case of the utmost exigency, he is not empowered to call them out without first acquainting parliament, if it is at that time sitting; and if not, it shall be convened within fourteen days, and the measures which had been adopted laid before it. If, however, his majesty was vested with the power of introducing what number of foreign troops he pleased into the kingdom, this jealous caution of the legislature was totally useless and inefficient. From the silence of the bill of rights respecting the prerogative of the crown in this instance, it would be wrong to suppose the existence of such a prerogative. As well might it be said, that several of the most valuable privileges of British subjects, which they hold under *Magna Charta*, and the *Habeas Corpus* act, did not exist, since they had not been recited in the bill of rights. The act of settlement, and the naturalization bill, clearly proved that this prerogative did not exist in the crown. Mr. Adair confessed himself no enemy to the ordinary prerogatives of the crown, which were known, defined, and legal; but the prerogative which appeared to him dangerous, was that prerogative which, if it at all existed, was unknown, undefined, and unascertained. With respect to what had been said by an honourable gentleman concerning the acquiescence of those who had framed the act of settlement in the subsequent introduction of foreign troops, this was at a time when there was an open

rebellion in the country; the present introduction of foreign troops, he thought, might be fully justified on the grounds of necessity and humanity; and he should have considered that there was little cause for jealousy, had not the assertion of this prerogative proceeded from a quarter which gave occasion for more than common jealousy, when the question was between the prerogatives of the crown and the law of the land.

MR. DUNDAS.

On a Motion for raising French Troops for the Service of Great Britain,

JUSTIFIED the war upon the reasons which have been so often detailed, and accused those gentlemen of inconsistency, who objected to it as not just nor necessary, because they had pledged themselves in its support; and added to this the further inconsistency of opposing every measure adopted by the executive government for its maintenance. With respect to the present measure, he left it to the wisdom and discernment of the house to decide, whether it was one which tended to facilitate the object of the war or not, and he would impartially abide by that decision. The present power of France was, he contended, held by the most precarious of all possible tenures; and he thought the great body of the people were far from attached to the present constitution; and in proof of this he mentioned the immense emigrations which had taken place, the massacres, and the insecurity of life and property. Nothing but protection and

support was, he thought, wanting to induce the French to come forward, and raise their whole force against the convention. The usurpation of France was incompatible with the existence of other governments; and till we could overthrow their system of politics, we must not hope for peace or security. In this endeavour he thought it right to unite with us persons who had the same reasons with ourselves, and who called upon the British nation to give them arms. Whatever might be the advantages we derived from an insulated situation, we could not remain safe while such opinions were disseminated near us, and propagated by force of arms. The authority of books and the dictates of common sense established the maxim, that the government of one country might interfere with and subvert another under certain circumstances. This was a matter of speculative policy applicable to internal discords in time of peace; but in a state of warfare it would be ridiculous to say, we should not do every thing to distress and destroy the government with which we were at war. It was the part of ministers to consider the enemy as an enemy, and devise means to bring them either to reason or to ruin. The hon. gentleman (Mr. Fox) had, he said, dwelt with much plausibility upon the calamity of retaliation: this he said it had frequently been necessary to exercise, however painful the task. It lay with the emigrants to consider the probable effects of retaliation, and they had weighed it well and asked for arms. None could accuse government of compulsion in this instance; the emigrants had themselves adopted the measure, and none could deny the wisdom of their choice; no man of feeling or magnanimity could act otherwise. With respect to this measure having a tendency to prolong the war, Mr. Dundas allowed, that the conquests we had made in the East and West Indies had not the same effect as conquests in France might have had; yet still, by crippling in some degree the resources of the war, they must accelerate peace. We could not however, he contended, hope for peace and security without a

total change in the government of France. Government had, he said, been blamed the last session for not affording early assistance to the mal-contents and royalists in La Vendée. If it were expedient to risque our national safety and honour in the hands of an undisciplined scattered band, such as that in La Vendée, how much more so to take into our pay a strong concentrated body of men, disciplined, oppointed, and commanded by men eminent for military honour and talents! Such an army was, he said, not only equal to prodigies in itself, but must acquire strength and numbers as it proceeded. An hon. gentleman had mentioned 500,000: he should rejoice to find so many; and though that gentleman had questioned the ability to find resources for such a number except from this country, he conceived that a much smaller number would in a short time render aid from this country totally unnecessary, by putting a prosperous period to the war, recovering their rights, and terminating the calamities of France.

MR. GREY.

On Mr. Pitt's Motion for empowering his Majesty to secure and detain all Persons suspected of Designs against his Crown and Government.

He asserted, that if any evil had arisen from the doctrine of applying to the people instead of to parliament, the chancellor of the exchequer was to be considered as the cause. If the language of applying to the people for a parliamentary reform was criminal, Mr. Grey said he had himself been guilty, since he did not seru-

ple to assert, that from the house of commons he had no hopes of parliamentary reform; that house never would reform itself, or destroy the corruption by which it was supported, by any other means than those of the resolutions of the people acting on the prudence of the house. That point they could only accomplish by meeting in bodies, and this, in 1782, had been the opinion of the minister. An hon. gentleman (Mr. Windham) had asserted, that the doctrine of universal suffrage was only fitted for the refuse of the people. If this were so, of that description were the duke of Richmond and Mr. Pitt. This he proved from the duke's letter to colonel Sharman. What more had been done by Messrs. Palmer, Muir, &c. to expose them to their present sufferings? What, he said, had been discovered by the fine velvet bag which the minister had brought into the house a few days before? Nothing but what had been known twelve years ago, and what these societies had thought proper to reprint and publish in the year 1794. For this the *Habeas Corpus* act was to be suspended, and the personal liberty of every individual of the kingdom was to be placed in the hands of ministers. In extreme cases extreme powers should certainly be given; and if the case were made out, he should readily accede to the measure proposed: but he strongly contended, that the charge at the utmost amounted only to sedition, and imputed the measure to that system of alarm which had been adopted to prevent the people from seeing their real situation.

MR. CANNING.

This gentleman writes verses better than he makes speeches. If he had as much understanding as he has wit, he would be a great man: but that is not the case. *Non omnia possumus omnes* However, there is a degree of elegance and brilliancy, and a certain ambitious tip-toe elevation in his speeches. But they want manliness, force and dignity. His eloquence is something like a bright, sharp-pointed sword, which, owing to its not being made of very stout metal, bends and gives way, and seems ready to snap asunder at every stroke; and he is perpetually in danger of having it wrested out of his hands.

On the same.

He asserted, that in the precedent of 1722, ministers had only been supported by a message from the throne; on the present occasion such a message had been backed by the secret committee. Then traitorous correspondences were carrying on for restoring the exiled family; they were now carrying on for the subversion of the constitution, and the introduction of republican anarchy. Why then not apply the same remedy to cases so similar? Or, were there no precedent, were we not justified in devising new remedies for singular and unheard-of offences? What had been said of the precedent of 1777? so far from being in point, it was diametrically opposite to the present instance. That had for its object the prevention of a congress in America; this plan was designed to prevent the assembling of one in Great Britain. He retorted the charge brought against the minister, of adopting only such precedents as made for him, and scouting others. He would not, he said, argue as to the

proof of the danger that induced ministers to suspend the act. The report of the secret committee justified the measure, and he was willing to take the word of government. It had been observed, that if time were given, petitions against the measure would flow in from all parts of the country. He was not however to be intimidated from his duty by any petitions. He adverted to the conduct of the minister, when he had stood forward as an advocate for parliamentary reform. What he thought on that subject then, he said, now signified but little. He entertained the same opinions with his right hon. friend; he supported him in them; and agreed with him, that though such a reform might be not improper for discussion in a time of peace, it was a proposition that ought not to be agitated in a season of tumult. If the chancellor of the exchequer should at a future time return to his former opinions, it was probable he should again agree with him. However he and his right hon. friend might be threatened with secessions in the house, and disturbances abroad, they should continue to know and feel their own dignity, and wait for the subsequent approbation of the people.

MR. COURTENAY.

In Reply to Mr. Canning.

He knew not which to admire most, the ingenuity which had been displayed, or the arguments with which the chancellor of the exchequer had been defended by his *friend*, who had admitted him to be an apostate, and complaisantly declared himself one also. He had further professed his readiness to join his *friend*, if he

resumed his principles. He seemed attached to his *friend*, as necessary, probably, to promote his fortune.

> Thus a light straw, whirl'd round with every blast,
> Is carried off in some dog's tail at last.

He had as yet, he said, heard no argument that warranted the suspension After bestowing the highest eulogium on the *Habeas Corpus* act, Montesquieu, in his Spirit of Laws, had pronounced it the palladium of English liberty—an act that ought never to be repealed. Nothing could justify the suspension but great and imminent danger to the state, and the actual existence of rebellion. In the suspension of 1745, and that in the American war, circumstances were materially different from what they now were. Mr. Courtenay contended, that the report did not state any distribution of arms to have taken place, nor mention that any correspondence had been carried on with the enemy. There was therefore no evidence for the necessity of such a measure, which was calculated to destroy the social intercourse amongst men. He was, he said, much at a loss to conjecture why ministers adopted those measures which they so much reprobated in the neighbouring country, where the same thing had been done by Barrere and Robespierre. It was evident, he said, no proof existed of a plot to overturn government. He pointed out the danger of arming government with so large a discretionary power. Every act of oppression might be justified on the plea of state necessity. Much had been said on the humanity of ministers; he would refer on this subject to the cases of Messrs. Muir and Palmer. He declared his full intention to oppose the bill to the utmost of his power, because it struck deeply at the existence of the constitution, and subjected innocent persons to extreme oppression.

MR. FOX.

On the same Subject.

STRENUOUSLY reprobated the bill, and replied to a part of the preceding speech (Mr. Windham's,) which he considered as foretelling the destruction of the British constitution. With respect to the gradations of punishments which were professed, what by this argument must we think of the present measure, but that it was only one step in the ladder, and that more severe remedies were in reserve? Gentle remedies had already been applied. The alien bill was an anodyne, the treasonable correspondence bill was also a gentle medicine; but as in the king's speech these evils were said to exist with increased malignity, this severe remedy was to be tried, with the declared intention, that if this should fail, more violent methods would be pursued. What were they? Would all meetings of the people be prohibited, so as to prevent all discussion on political subjects? When that proved ineffectual, was the minister to have the power of making arbitrary imprisonment perpetual? Would the next step be the establishment of a revolutionary tribunal? Under the colour of pretended alarms, were we to infringe upon and demolish the best part of the constitution? He contended, that the proceedings here were precisely similar to those in France; that ministers circulated stories of alarms and conspiracies, to fill the public mind with fear, and, according to the French, to make terror the order of the day. The question for the consideration of the house was, he said, to compare the danger with the remedy. Whether the word *convention* was a bugbear held up to terrify their imagina-

tions, he knew not; but it was of consequence to inquire into the nature of the thing, and not to be startled at names. Mr. Fox entered into a discussion on the nature of a convention, which meant no other than a meeting of the people; in which if they committed an illegal act, they might be sent to prison, and tried for the offence as securely as if no convention existed. The danger then called for no remedy; and the suspension was only intended to agitate and alarm the nation, to put men's minds under the dominion of terror, and take from them the exertion of their rational faculties, which would be otherwise employed in scrutinizing the fatal measures of ministers. For that reason subscriptions had been set on foot; he said *for that reason*, because ministers had been open enough to acknowledge that it was not for money. He expressed high esteem for some of the members of the committee, but asserted that it was composed of two descriptions, men who were either dupes to themselves, or wished to dupe others. Their whole report was trifling and inconsequential, and told nothing which was not known before. The avowed intention of the societies was to obtain universal suffrage, which however he might be disposed to agree, was a wild and impracticable idea, he must doubt its having caused the destruction of France. Why was the house to argue theoretically or practically from the example of France? Was every man who mentioned liberty to be regarded as a traitor because liberty had been abused in France? If such were the case, it would be fatal for England. Mr. Fox called upon gentlemen to state the parallel between this country and the old government of France, that we should dread similar effects from jacobinical doctrines. Had France, he said, possessed a *Habeas Corpus* act, had she respected the rights and liberties of the people, those doctrines would never have prevailed. He stated this not improbable conjecture, one on which he would not lay much stress; but it was material, in support of the argument adduced

by Mr. Windham, to prove that the old government of France had fallen from a want of power; as the argument had been, that we must proceed from measure to measure, till ministers should be armed with sufficient power to resist and vanquish all innovation. Such doctrines went to the extinction of every vestige of the constitution. Mr. Fox asked, what all these severities were for? Were they because any great body of people were disaffected to the state? No such thing: it was the boast of ministers, that every part of the country was strictly united in love to the constitution. It was to be introduced, because some low persons, without property and consideration, had entertained opinions about a parliamentary reform, which were thought dangerous. If the act was to be suspended, he said, till no discontented person remained in the kingdom, there was an end to it; and it was a declaration to all mankind, that the constitution of England was fit only for an Utopian society, and not for any society that ever did or could exist upon earth. If America had been alarmed, let us look to what her conduct had been on this occasion. Had she shocked every feeling and considerate mind by the scandalous rigour of her legal punishments. Had she plunged her country in war, and loaded her people with new and excessive burdens? No: she had maintained a strict and perfect neutrality towards the belligerent powers, and protected herself at home by securing to her people all their privileges; and, so far from dreading comparison, they left their people to the most ample discussion of political doctrines. From the little regard paid by these societies to himself, Mr. Fox argued that he could not be actuated by any partial regard towards them; but he contended strongly for the right of popular discussion, as an essential and salutary privilege of the subject. With his usual candor, he confessed that the events in France had corrected several opinions which he previously held; and that though when a boy his heart revolted at the observation of

Cicero, *Iniquissimam pacem justissimo bello antefero*, the wisdom of the sentiment was now manifest to his mind. He could hardly frame to himself the condition of a people, in which he would not rather covet to continue, than advise them to fly to arms, and to seek redress through the unknown miseries of a revolution. But the more he was weaned from such experiments, the more he abhorred all acts on the part of government, which tended to exasperate the people. Wise men, deliberately weighing the relative duties of government and people, would recommend incessant conciliation. Never had England been so happy as when this was the case, never so miserable as when a persecuting system had been adopted, which he argued with great ability, had almost uniformly nourished the plant it intended to destroy.

MR. PITT.

[To prevent mistake, it may be necessary to observe that the following character is taken from a pamphlet published about a year ago.]

The character of Mr. Pitt was, perhaps, one of the most singular that ever existed. With few talents, and fewer virtues, he acquired and preserved in one of the most trying situations, and in spite of all opposition, the highest reputation for the possession of every moral excellence, and as having carried the attainments of eloquence and wisdom as far as human abilities could go. This he did (strange as it appears) by a negation (together with the common virtues) of the common vices of human nature, and by the complete negation of every other talent that might interfere with the only one which he possessed in a supreme degree, and which indeed may be made to include the appearance of all others—an artful use of words, and a certain dexterity of logical arrangement. In these alone his power consisted; and the defect of all other qualities, which usually constitute greatness, contributed to the more complete success of these. Having no strong feelings, no distinct perceptions, his mind having no link, as it were, to connect it with the world of external nature, every subject presented to him nothing more than a *tabula rasa*, on which he was at liberty

to lay whatever colouring of language he pleased; having no general principles, no comprehensive views of things, no moral habits of thinking, no system of action, there was nothing to hinder him from pursuing any particular purpose, by any means that offered; having never any plan, he could not be convicted of inconsistency, and his own pride and obstinacy were the only rules of his conduct. Having no insight into human nature, no sympathy with the passions of men, or apprehension of their real designs, he seemed perfectly insensible to the consequences of things, and would believe nothing till it actually happened. The fog and haze in which he saw every thing communicated itself to others; and the total indistinctness and uncertainty of his own ideas tended to confound the perceptions of his hearers more effectually than the most ingenious misrepresentation could have done. Indeed, in defending his conduct he never seemed to consider himself as at all responsible for the success of his measures, or to suppose that future events were in our own power; but that as the best-laid schemes might fail, and there was no providing against all possible contingencies, this was a sufficient excuse for our plunging at once into any dangerous or absurd enterprise, without the least regard to consequences. His reserved logic confined itself solely to the *possible* and the *impossible*; and he appeared to regard the *probable* and *improbable*, the only foundation of moral prudence or political wisdom, as beneath the notice of a profound statesman; as if the pride of the human intellect were concerned in never entrusting itself with subjects, where it may be compelled to acknowledge its weakness.* From his manner of reasoning, he seemed not to have believed that the truth of his statements depended on the reality of the facts, but that the things depended on the order in which he arranged them in words: you would not suppose him to be agitating a serious question which had real grounds to go upon, but to be declaiming upon an imaginary thesis, proposed as an exercise in the schools. He never set himself to examine the force of the objections that were brought

* One instance may serve as an example for all the rest:—When Mr. Fox last summer (1805) predicted the failure of the new confederacy against France, from a consideration of the circumstances and relative situation of both parties, that is, from an exact knowledge of the actual state of things, Mr. Pitt contented himself with answering—and, as in the blindness of his infatuation, he seemed to think quite satisfactorily,—"That he could not assent to the honourable gentleman's reasoning, for that it went to this, that we were never to attempt to mend the situation of our affairs, because in so doing we might possibly make them worse." No; it was not on account of this abstract possibility in human affairs, or because we were not absolutely sure of succeeding (for that any child might know,) but because it was in the highest degree probable, or *morally* certain, that the scheme would fail, and leave us in a worse situation

against his measures, or attempted to establish them upon clear, solid grounds of his own; but constantly contented himself with first gravely stating the logical form, or dilemma, to which the question reduced itself, and then, after having declared his opinion, proceeded to amuse his hearers by a series of rhetorical common places, connected together in grave, sonorous, and elaborately constructed periods, without ever shewing their real application to the subject in dispute. Thus, if any member of the opposition disapproved of any measure, and enforced his objections by pointing out the many evils with which it was fraught, or the difficulties attending its execution, his only answer was, "that it was true there might be inconviences attending the measure proposed, but we were to remember, that every expedient that could be devised might be said to be nothing more than a choice of difficulties, and that all that human prudence could do was to consider on which side the advantages lay; that for his part, he conceived that the present measure was attended with more advantages and fewer disadvantages than any other that could be adopted; that if we were diverted from our object by every appearance of difficulty, the wheels of government would be clogged by endless delays and imaginary grievances; that most of the objections made to the measure appeared to him to be trivial, others of them unfounded and improbable; or that if a scheme free from all these objections could be proposed, it might after all prove inefficient; while, in the mean time, a material object remained unprovided for, or the opportunity of action was lost." This mode of reasoning is admirably described by Hobbes, in speaking of the writings of some of the schoolmen, of whom he says, that "they had learned the trick of imposing what they list upon their readers, and declining the force of true reason by verbal forks; that is, distinctions which signify nothing, but serve only to astonish the multitude of ignorant men." That what I have here stated comprehends the whole force of his mind, which consisted solely in this evasive dexterity and perplexing formality, assisted by a copiousness of words

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than we were before, that Mr. Fox disapproved of the attempt. There is in this a degree of weakness and imbecility, a defect of understanding bordering on idiotism, a fundamental ignorance of the first principles of human reason and prudence, that in a great minister is utterly astonishing, and almost incredible. Nothing could ever drive him out of his dull forms, and naked generalities; which, as they are susceptible neither of degree nor variation, are therefore equally applicable to every emergency that can happen: and in the most critical aspect of affairs, he saw nothing but the same flimsy web of remote possibilities and metaphysical uncertainty. In his mind the wholesome pulp of practical wisdom and salutary advice was immediately converted into the dry chaff and husks of a miserable logic.

and common-place topics, will, I think, be evident to any one who carefully looks over his speeches, undazzled by the reputation or personal influence of the speaker. It will be in vain to look in them for any of the common proofs of human genius or wisdom. He has not left behind him a single memorable saying—not one profound maxim—one solid observation, one forcible description—one beautiful thought—one humorous picture—one affecting sentiment.* He has made no addition whatever to the stock of human knowledge. He did not possess any one of those faculties which contribute to the instruction and delight of mankind—depth of understanding, imagination, sensibility, wit, vivacity, clear and solid judgment. But it may be asked, if these qualities are not to be found in him, where are we to look for them? And I may be required to point out instances of them. I shall answer then, that he had none of the profound legislative wisdom, piercing sagacity, or rich, impetuous, high-wrought imagination of Burke; the manly eloquence, strong sense, exact knowledge, vehemence and natural simplicity of Fox; the ease, brilliancy, and acuteness of Sheridan. It is not merely that he had not all these qualities in the degree that they were severally possessed by his rivals, but he had not any of them in any degree. His reasoning is a technical arrangement of unmeaning common-places; his eloquence merely rhetorical; his style monotonous and artificial. If he could pretend to any one excellence in an eminent degree, it was to taste in composition. There is certainly nothing low, nothing puerile, nothing far-fetched or abrupt in his speeches; there is a kind of faultless regularity pervading them throughout; but in the confined, mechanical, passive mode of eloquence which he adopted, it seemed rather more difficult to commit errors than to avoid them. A man who is determined never to move out of the beaten road, cannot loose his way. However, habit joined to the peculiar mechanical memory which he possessed, carried this correctness to a degree which, in an extemporaneous speaker, was almost miraculous; he perhaps hardly ever uttered a sentence that was not perfectly regular and connected. In this respect, he not only had the advantage over his own contemporaries, but perhaps no one that ever lived equalled him in this singular faculty. But for this, he would always have passed for a common man; and to this the constant sameness, and, if I may so say, vulgarity of his ideas, must

* I do remember one passage which has some meaning in it. At the time of the Regency Bill, speaking of the proposal to take the king's servants from him, he says, "What must that great personage feel when he waked from the trance of his faculties, and asked for his attendants, if he were told that his subjects had taken advantage of his momentary absence of mind, and stripped him of the symbols of his personal elevation." There is some grandeur in this. His admirers should have it inscribed in letters of gold; for they will not find another instance of the same kind.

have contributed not a little, as there was nothing to distract his mind from this one object of his unintermitted attention; and as even in his choice of words he never aimed at any thing more than a certain general propriety, and stately uniformity of style. His talents were exactly fitted for the situation in which he was placed; where it was his business, not to overcome others, but to avoid being overcome. He was able to baffle opposition, not from strength or firmness, but from the evasive ambiguity and impalpable nature of his resistance, which gave no hold to the rude grasp of his opponents: no force could bind the loose phantom, and his mind (though "not matchless, and his pride humbled by such rebuke,") soon rose from defeat unhurt,

"And in its liquid texture mortal wound
"Receiv'd no more than can the fluid air*."

On the same Subject.

He stated the question as resolving itself into the simple consideration, whether the danger threatened to the go-

* I would recommend to the reader a masterly and unanswerable essay on this subject given in the Morning Post, in February, 1800, from which, and the conversation of the author, most of the above remarks are taken. See also Dr. Beddoes's Letter on the Public Merits of Mr. Pitt. I will only add, that it is the property of true genius, to force the admiration even of enemies. No one was ever hated or envied for his powers of mind, if others were convinced of their real excellence. The jealously and uneasiness produced in the mind by the display of superior talents almost always arises from a suspicion that there is some trick or deception in the case, and that we are imposed on by an appearance of what is not really there. True warmth and vigour communicate warmth and vigour; and we are no longer inclined to dispute the inspiration of the oracle, when we feel the "*presens Divus*" in our own bosoms. But when, without gaining any new light or heat, we only find our ideas thrown into perplexity and confusion by an art that we cannot comprehend, this is a kind of superiority which must always be painful, and can never be cordially admitted. For this reason the extraordinary talents of Mr. Pitt were always viewed, except by those of his own party, with a sort of jealously, and *grudgingly* acknowledged; while those of his rivals were admitted by all parties in the most unreserved manner, and carried by acclamation.

vernment and constitution was not greater than that of placing in the hands of the executive government a more than ordinary degree of power, for the purpose of resisting a very dangerous conspiracy. It had not, he said, been adverted to in the debate, that the bill was limited in its duration, and only a temporary measure, adapted to the existing evil, and was to continue in force little more than six months; all the rights of the people and all the privileges of parliament remaining the same, attaching at the time the same responsibility upon ministers to which they were liable in every other situation, and equally answerable for any abuse of power. Could any gentleman then think that all the liberties of the subject, and all the privileges of parliament, would be annihilated by this bill? He contended, that there was nothing in the present measure similar to those in France, under the influence of the present ruling powers in that country, *miscalled* a government. It was, he said, unfair to impose such comparisons upon the house; in the present instance we were only resisting French crimes by opposing to them French principles. An extraordinary kind of argument had been used, which was, that because all the measures which had yet been taken had proved ineffectual, they were not to persevere in endeavouring to overcome the evil by more efficacious means. If some measures had not been already taken, he asked whether we should now be as quiet as we are? The fact was, they would have been turned much faster to the same scenes of mischief which were opened to their view. As to mild and moderate remedies, was it to be supposed that a jacobin convention once established in this country was to be stopped, or its consequences avoided, by indulgence and concession? or that they were fit to be opposed to so daring an attempt on the existence of the constitution? The preservation of the British constitution would be impossible, if these societies met with indulgence or concession. Nothing would satisfy them short of a surrender of the constitu-

tion. Toleration of such opinions amounted to a toleration of the worst species of anarchy, sedition, and treason. With respect to the question of "Where are you to stop?" it was not proper that the limit of their remedies should ever be declared, or that they should pronounce this the last remedy to which they could recur. He would however say, that persecution ought not in any case to extend beyond what the real necessity of the case required, and the temporary remedy in the present bill might be supposed the best in the present case Respecting the necessity of the measure, the proofs for that necessity, and the nature of the remedy applied to the case, he conceived the house was perfectly satisfied; and he saw no reason why the right of the people to meet for legal purposes in a constitutional way, or their right to petition parliament for a reform, had been introduced, since those points had never been disputed. Such a meeting, however, he contended, bore no resemblance to the convention proposed by those societies; and in support of this opinion he read extracts from the proceedings of the societies. Mr. Pitt argued at much length on this subject to prove that the convention was intended to possess a power paramount to that of parliament. Whether or not the report contained any thing new, was little to the purpose, provided it was considered to substantiate the grounds of the alarm. The fact, however, was otherwise. Till the seizure of the papers, the correspondence with the club at Norwich was unknown; a very important fact, which brought to light the general design of assembling the jacobin convention. What was known two years ago was a link of the chain, which reached down to the present time. The remedy, he said, only amounted to put a legal restraint upon criminal actions; and the present crime amounted, in his opinion, to a conspiracy of that nature, which was perhaps a stronger reason for the suspension of the *habeas corpus* act, than the cases of invasion or rebellion so frequently alluded to. The persons who

composed these societies were of a very different opinion, he said, from those who thought the present measure ineffective; for they had declared the suspension of the *habeas corpus* bill the very measure which should be the signal for them to assemble their convention; and therefore it became the more necessary to pass the bill quickly, to prevent their taking measures to evade its operation.

MR. SHERIDAN.

On the Suspension of the Habeas Corpus Act.

He prefaced his motion for the repeal of the suspension act, by observing, that the preamble to that act stated the existence of a treasonable and traitorous conspiracy, and appealed to the house whether they believed its present existence, or indeed that it ever did exist. Both were necessary to warrant the continuance of the suspension. The plots, he averred, were the mere fabrication of ministers, which was evident from the verdict of juries. He further charged ministers, from a letter which he produced, and which was one of several sent round, with having made use of a degree of management in forming the grand jury, by whom the indictment had been found. The opinion delivered by the solicitor-general, and the phrase of *acquitted felon*, made use of by Mr. Windham, were much reprobated and ridiculed by Mr. Sheridan. It had been, he said, stated, that a person might be charged with murder, who had only been guilty of house-breaking; but could not certainly be said to be innocent, because the first charge

was not proved. But did the men lately tried stand in this situation? On the contrary, if there was a case in which the verdict of a jury could establish the innocence of the accused, it was in cases of treason. Such a charge came from the highest authority, and with a weight and influence difficult for an individual to resist. In this crime the country was both party and judge. With respect to levying war, the evidence might be incompetent; but as to the charge of compassing and imagining the king's death, the intention constituted the crime. That no pains had been spared to bring home the charges in the late trials, was insisted upon by Mr. Sheridan, on a review of the whole proceedings. The fees to professional gentleman retained on the part of the crown, were stated by him at more than 8,000 pounds, independent of the solicitor to the treasury; and that there was no hesitation in collecting witnesses, he inferred, from 207 being summoned in the case of Mr. Joyce, many of them at great expense and loss of time. He further stated the *formidable* forces of the accused party as consisting of one pike, a tee-totum in a window at Sheffield, a camp in a back garret, an arsenal provided with nine muskets, and an exchequer containing nine pounds and one bad shilling; all of which were to be employed against the armed force and established government of Great Britain. Mr. Sheridan strenuously argued against the suspension of the *habeas corpus* act, as suspending the whole British constitution; and urged the authorities of sir Edward Coke, and Judge Blackstone. Such a measure could only be justified by an emergency, which, he contended, did not exist. The evidence even of sedition appeared, he said, in so questionable a shape, as ought to excite suspicion; it was supported by a system of espionage, which had been carried to a greater extent under the present administration, than in any former period in this country. In animated terms he set forth the mischiefs arising to society from this detestable practice. He appealed to the

experience of the house, whether, as landlords, masters, or purchasers of different commodities, they perceived in the people any spirit of insubordination. That there was no danger existing at the present moment, he would not, he said, assert; but this danger arose from a contempt spreading amongst the people, of public men and public measures. To reform the conduct of government, and to correct abuses, would be the surest means of correcting discontent, and to render the further suspension of the *habeas corpus* act unnecessary. Again adverting to the late trials, Mr. Sheridan asserted, that the parties had only imitated what had been done in the societies in 1780. "If then (added Mr. S.) we boast of equal laws, and these men are to be considered as guilty of high treason, let us have some retrospective hanging; and whatever in that case may happen to me, his majesty will derive the benefit, since he will get rid at least of a majority of his present cabinet." It was, he said, re-echoed from every quarter,—look at the example of France;—this, he thought, was a libel on the character of Great Britain. But were he to look to the example of France, he would look to the prodigality, the corruption, the detestable system of spies and informers, the insolence of the higher, and the oppression of the lower orders, which had distinguished the old government of France, and produced all the evils of the present system; and would thence be taught to avoid a system of terror and corruption, to give back to the people their rights and privileges, which rivetted their affection, and secured their obedience.

MR. PITT.

On the Consideration of his Majesty's Message respecting the Imperial Loan.

PROFESSED himself extremely happy at the opportunity afforded by his majesty's message, to dicuss the general principle of the imperial loan; the details of the measure could not, however, possibly be entered into till the negotiation was concluded. If the question now, was to decide whether it was proper for his majesty to guarantee a loan for a particular purpose, three points were to be considered,—the utility of the co-operation of Austria, the security for performance of the stipulations, and whether the risk was greater than the probable advantage. For the first, the general policy of the measure, he stated the impossibility of procuring peace, which had been admitted by a majority of the house; the powerful exertions which had been recommended even by those who advised negotiation with the enemy, powerful in men and resources, with whom we had never contended so successfully as when our maritime strength had been aided by a powerful land force on the continent. It was necessary to oppose to them the same means which they employed against us. Such was the proud situation of this country, that money, forces, and a navy, were to be found in Great Britain; if there was a deficiency, it was in the number of our land forces. For these we must look to some great power on the continent; and to whom could we look, but to the emperor, both from his extensive means, local situation, the mi-

litary character of his subjects, and his interest in the prosecution of the present contest? From the admission of Tallien, corroborated by several members of the convention, the internal pressure of France was such, that it could not long be supported, unless the mass of paper currency was reduced, which could only be effected by the reduction of the military force. Was it then wise to abandon that mode of distressing the enemy, which, upon their own confession, will have the most sure operation? As it was probable the king of Prussia would not come forward with the same force as in the last campaign, this was a ground for double exertions on our part. The question was, whether or not we would be parties to the French scheme of policy, by allowing the emperor to withdraw his forces for want of pecuniary assistance? It was with the wish of pursuing the war with unabated rancour against this country, that they desired peace with the other powers of the confederacy. The proposition was, he said, attended with benefit to the navy, in favour of which an unanimous sentiment had pervaded the house. There were two ways by which we maintained our superiority at sea,—first, by increasing our navy to its utmost extent,—and secondly, pursuing such measures as would tend to weaken the naval strength of the enemy. If, by the assistance given to the emperor, he could bring into the field 200,000 men, the French could not pay the attention to their marine which they otherwise would. With respect to the objections he had heard against the measure, the first, as to the reasonable assurances of the fulfilment of the stipulations, and the chance of the burden falling ultimately upon us,—in support of the first, an argument had been adduced, which, if carried to its extent, would end in the annihilation of every system of alliance. Were we never to enter into a treaty with any monarch, because one had broken his faith? The general grounds of alliance between nations, Mr. Pitt stated to be confidence in their good faith, a common

interest, and an apparent sincere inclination to fulfil their engagements. On these grounds he defended the sincerity of Austria, and vindicated the character of that court, except during a period of two years, which had been a departure from her general conduct. It was the interest of the emperor to fulfil his engagements; and pride and honour called upon him to exert himself with effect. There was every reason to believe the emperor perfectly disposed to a co-operation with us. This was manifest from his applying to borrow money at a large rate of interest, after having been burdened with the expences of three campaigns, and after his having joined us in the defence of Holland and the Rhine; and he was now making the greatest exertions to obtain pecuniary aid in his own dominions. As to the security, was the sum of six millions to be put in competition with the acquisition of the whole Austrian force? Comparing the sum with the assistance required, it was purchasing assistance very reasonably. The force of Austria, without our assistance, must remain inactive; which, even if the whole of this expence fell upon us, it would not be wise or politic to suffer. He further argued the improbability of a breach of faith on the part of Austria, from her situation in Europe, which rendered it improbable she could do without loans on future occasions, which a failure in the present instance must prevent her obtaining. Mr. Pitt insisted upon the advantage of continental connections, and added, that the treaty would contain stipulations, that, for every 300 pounds advanced, an obligation for 400 pounds upon the bank of Vienna would be transmitted to this country; and the emperor might be sued in his own courts. He concluded by moving an address, thanking his majesty for the communication of the state of the negotiation,—that when his majesty shall be enabled to lay before the house the result and the arrangement relative to the temporary advances made in the latter part of the campaign, they should proceed further to consider it; that in the mean

time, the house entertained a strong sense of the advantages to be derived from the co-operation of an Austrian army in the next campaign, and that if it should appear that this advantage may be secured by enabling his majesty to guarantee, under proper conditions, a loan to be raised by the emperor, to such an amount as may be reasonable and proportioned to his efforts, the adoption of such a measure may be essentially conducive to the interests of his majesty's subjects at this time, and to the great object of re-establishing the peace and tranquillity of these kingdoms, and of Europe.

MR. GREY.

On moving for Peace.

He premised his motion by a long and laboured speech, in which he considered the vast importance of the question, which was to be decided on the broad basis of national interest, as it affected the happiness, the safety, possibly the very existence of the country. He observed, that, after two years of war, which had drained this country of its blood and treasure, we did not appear to be one point nearer to the object for which it was undertaken. From the words of the minister on a former occasion, Mr. Grey inferred, that the war was a war *usque ad internecionem*, and that nothing short of the utter ruin of this country would induce him to treat for peace. It was his intention, by the present motion, to put the point at issue, whether this opinion was countenanced by the house. It was the duty of

the house to lay aside every party prejudice, all animosity, all artifice and mystery, and declare to the people the danger with which they were threatened. The French also had a right to expect the house to come to a decision, and to know against what they were fighting. They ought to know whether they had the right of determining upon their own form of government; and, by holding out a placable disposition, they would see whether they are misled by their own rulers, should they be averse to pacific measures. It was also necessary to the minister to know whether the house was prepared to go to the lengths he chose. Were he to pursue his own wishes, he should move for an immediate negotiation with France; but the present motion only went to render it possible for the French, if so disposed, to negotiate with us. The minister had declared the wording of the present motion satisfactory, and he therefore hoped that the question would not be evaded. He reverted to the thanks of the house which had been voted to his majesty, December 1792, posterior to the deposition of the French king, for abstaining from interfering with the internal affairs of France, to evince, that, though their conduct was as objectionable as it could now be, and their government republican, we had not thought it incompatible with our safety: nor did he remember any decision of the house which had negatived that opinion. It was not his intention to propose any thing incompatible with what the house had already done; but it became that assembly to consider whether they would impose upon themselves that responsibility which had hitherto been attached to administration solely. He contended that, though the declaration of war had arisen from the French, we had provoked it. If the house believed that the existence of this country depended upon forcing the French to abandon their present government, he could have nothing to offer against our trying to accomplish it; but he thought the contrary, and saw nothing to preclude our treating with them. With-

out entering into the question of the right of one nation to interfere with the internal government of another—supposing the destruction of the present government of France was a desirable object to this country, it became us to inquire into the probable chance of success. This chance, he understood, was derived from the possibility of a counter-revolution, and the reduced state of their resources The people of France, were, he contended, too firmly attached to a republican government, to be likely to give it up, however they might change their leaders; and the moderation of their present government afforded little hopes of such a surrender. All hopes of a counter-revolution were, he contended, ill-founded and fallacious. A dependence upon the decay of their finances, was, he contended, equally ill-founded. Both in the American war and the present, the affairs of the nation were in the hands of persons unable to distinguish between the fallacy of imperfect calculations, and the energy and enthusiasm of a people struggling for freedom. From the report of Johannot to the French convention concerning the finances of France, Mr. Grey contended that the resources of that country were very greatly superior to those of America, during the war against that country. The most exaggerated account of the probable debt of France amounted only to four hundred and twenty millions (about one hundred millions beyond the truth;) and the value of their landed estate was admitted to be above six hundred millions sterling. With this, was to be considered the addition of the money of Holland, the population of France, which was equal to that of one-sixth of the whole of Europe, and the distracted and impoverished state of our allies. Our own resources were, he doubted not, equal to every thing to which they ought to be applied; but not equal to the conquest of France, or to a war of aggression. For the exhausted state of the emperor's finances, he appealed to his own memorial addressed

to the circles of the Upper Rhine. Was it then from him,—from the Italian states,—the kings of Sardinia, Naples, and Spain,—or from our disgraceful alliance with the empress of Russia, that we expected assistance? Or was it from our good German ally, who had taken twelve hundred thousand pounds of our money? who had not brought into the field the sixty-two thousand men for which he stipulated; who had denied our right to command any of the Prussian troops, and contended that they ought not to march against the French, but to remain to defend Germany. The strongest reason which a great nation could have for war, was the defence of its honour; this, he contended, we had so fully vindicated, as to secure us from future insult. The decree of the convention, November 19, 1792, was no bar to a negotiation, as that declaration had been repealed, and followed by a contrary declaration. It had been stated that there had been periods at which a negotiation could commence. It was a proper period at the time the misunderstanding commenced with this country; and at several times when we had been successful since, negotiation might have been begun. This had been repeatedly advised from his side the house: and thus much misery might have been prevented. While we possessed great power and great resources, was the time for negotiation. Should the French proceed in their rapid career of conquest, it would not be easy. Were even the house willing to trust ministers with the prosecution of the war, would the minister declare he could trust the allies? This, therefore, was a time for negotiation; and should our attempts of that nature prove fruitless, the house and the people would cheerfully concur in a vigorous prosecution of the war; and we should then resemble France in the only point in which she was to be envied,—the unanimity of the people with their government. As additional reasons, Mr. Grey noticed the debates in the diet at Ratisbon,

in which all parties agreed for overtures to the enemy, except the elector of Hanover, and the landgrave of Hesse,—and the capture of Holland.

MR. FOX.

On the State of the Nation.

His design had been, he said, not to induce the discussion of what had already been discussed, but to inquire into the conduct of the war in general. It was perfectly consistent in gentlemen on the other side of the house to say they did not wish an inquiry:—an inquiry was likely to influence the opinion of the house upon the conduct of ministers; and an address to the throne for their removal would be the probable result. But rather than they should lose their places, was the country to be lost? A hint had been insinuated, that if the minister and his associates were dismissed, neither his majesty nor the public would look to the supporters of the present motion for their assistance. Was the war to be carried on, even by more able ministers, upon the same principles hitherto avowed, and for the same object, there was, he said, nothing his majesty could offer to him,—nothing that any prince in Europe could offer to him,—that could induce him to take any share in it. Mr. Fox ridiculed the idea of ministers here not being answerable for the declarations of ministers abroad; and the assertion that on enquiry they would be found to have acted properly respecting neutral nations,—when all inquiry was refused. With respect to the motion being mis-timed, his side of the house had not, he said, been

negligent in bringing forward questions upon the war. He denied having introduced the present motion on account of affairs in Ireland, and appealed to the time in which notice of it had been given, in proof of this assertion; but thought a full investigation of that business of great importance. The cabinet certainly interfered in the affairs of that country; and he wished to know upon what principle it should do so, more than the parliament of this country. He had, he said, been told he endangered Ireland by such an inquiry; but wished to know who most endangered it—he who respected both that and this country as much as any man in that house; or those who conducted themselves as if they had no regard to the interest of either, when in competition with their own power? The right honourable gentleman says, (added Mr. Fox,) that my conduct, if not counteracted, tends to lower the dignity of this country. That a man, who has himself so lowered the dignity of this country, who has brought it to the verge of ruin by the obstinacy and the madness of his conduct, should presume even to think that any man else could lower it more than he has, is, I own, rather extraordinary. I desire to know, and I ask the minister to inform me, if he can,—I ask any man in this house to inform me,—when it was that I endeavoured to lower the dignity of this country? He alluded to the present war,—what has been his conduct, and what did I advise this house upon that subject? I would have offered reasonable terms to France before the war commenced; and for that purpose I proposed a negotiation: he affected to disdain it. What has been the event? Will even he himself now attempt to say, that there is a chance of making so good a peace at this time as we might have had then? Does he even hope he can ever negotiate with the French in a situation less dishonourable to us than the present? I would have negotiated with them before a fight. He must negotiate after a fight, and after a defeat too, if he negotiates at all. I would have negotiated with them while we were rich in

our resources, and our commerce was entire. He must negotiate when both are desperately impaired. I would have negotiated before our allies were defeated, and while they were yet supposed to be in union. He must negotiate after victory has declared in favour of the enemy, and the allies have been deserting us and abandoning one another. After this, that such a man could possibly suppose he is supporting the dignity of this country, and that he should put himself on a footing with any gentleman who has not the misfortune to be in the present administration, is an extraordinary thing; but it is an assumption of merit which is peculiar to his majesty's present council. In the mean time, it is with heartfelt satisfaction I reflect, that in every thing I ever proposed, I have supported the dignity of this country; I regard it as a circumstance of good fortune to me, that *I never gave an opinion by which one drop of British blood was shed, or any of its treasure squandered.* The right honourable gentleman has insinuated, that neither I nor those with whom I act ever mention the glory of the British arms. The fact is notoriously otherwise,—we have been proud to praise them. Is it endurable, then, to hear a man accuse others of endeavouring to lower the dignity of this country, when we are doing all we can to save it, and are calling for an inquiry into the conduct of that man who has brought us to the very last stake, with which we are now contending for our existence? and shall it be still a question who is the best friend of the honour of Great Britain? But I wish again to ask, if this committee be not granted, what am I to say to my constituents if they ask—Who are the allies of this country,—what is our relative situation with the king of Prussia,—what with the emperor,—what has been the conduct of administration with regard to the war,—what is the situation of Ireland? To all these questions I can only answer, "I cannot tell you any of these things. The house of

commons would not grant me an inquiry; they went hand in hand with the minister.

MR. PITT.

On moving the Order of the Day for taking into consideration his majesty's Proclamations of October 31, *and November* 4, 1795, *for preventing Seditious Meetings.*

He painted in glowing colours the strong impressions which the criminal and outrageous insult committed upon his majesty in person, on the first day of the session, had made upon the minds of all his subjects; and remarked, that those outrages proceeded from circumstances upon which he meant to ground the proceedings of that night. If, under this first impression, every man should think himself called upon by the affection he owed to the person of the sovereign, to apply a remedy to those very alarming symptoms (which he presumed would be the case) another impression would arise out of it, equally forcible, namely, that thy should do this business but by halves, if they directed their attention solely to that separate attack upon the person of his majesty, and not to those formidable circumstances which were connected with it in point of principle, and which produced it in point of fact. If the house meant such enormities should be totally averted, they should adopt some means to prevent those seditious assemblies, which served as vehicles to faction and disloyalty, which fanned and kept alive the flame of disaffection, and filled the minds of the people with discontent.

His motion was not, therefore, to alter or enforce the laws for the king's safety, because the other house had then before them a bill to that effect: but to prevent those meetings to which all the mischiefs he had mentioned might be attributed.

The meetings to which he alluded were of two descriptions; the first, under a pretext of petitioning parliament for rights of which they affected to be deprived, agitated questions, and promulgated opinions, hostile to the existing government, and tending to bring it into disrepute with the people. The other description, though less numerous, not less public nor less dangerous was concerted evidently for the purpose of disseminating unjust ground of jealousy and discontent, and of encouraging the people to acts of even treason itself. Both these required some strong law to prevent them; for if the arm of the executive government was not strengthened by such a law, they would be continued, if not to the utter ruin, at least to the disgrace of the country.

No man would deny the right of the people to express their opinions on political men and measures, and to discuss and assert their right of petitioning all the branches of the legislature; but it was the duty of the house to prevent these privileges from being made a pretext for subverting the established government of the country. He confessed, however, that it was necessary to proceed with caution in this business, lest, on the one hand, they should encroach on the rights of the people, or, on the other, suffer the abuse of those rights to become the instrument of their total extinction. This matter ought to be attended to in the detail; but the house would see, that at present, the real question was, "Did not the pressure of the moment call for some remedy?"

According to the best opinions he could collect, the great point wanted then, was a more clear and defined power in the magistrate, to disperse and put an end to

all meetings likely to be productive of consequences such as were already mentioned. He by no means meant this power of dispersion to extend to meetings obviously lawful, and held for legal purposes; but that in every case of a numerous meeting, of whatever nature, or under whatever colour, notice should be given, so as to enable the magistrate to keep a watchful eye over their proceedings—to recognize the power of the magistrate to be present at such meetings, and to enforce penalties on those who should obstruct him in doing so; and, on whatever pretext the meeting might be held, if it appeared to be of a kind that was likely to promote sedition against government, to invest the magistrate with a power to apprehend the persons on the spot—to make any obstruction to the magistrate felony—and to make a provision, that if arresting should not be found sufficient to disperse the meeting, they should be dispersed in the same manner, and under the same penalties, as these contained in the Riot Act. This summary power in the magistrate, while it would still leave to the people the fair right to petition, on the one hand, would, on the other, prevent the abuse of it. This, he said, was the outline of the bill he meant to propose.

Under the other description of meetings, through which the minds of the people were poisoned, fell those of public lecturers, who made the dissemination of sedition the source of a livelihood. To them he thought it would be proper to apply regulations, somewhat like those that passed, about fourteen years before, in an act which was called Mansfield's Act, and by which all houses wherein improper meetings were held on a Sunday, were to be treated as *disorderly houses*. And, to avoid evasion, the clause should apply to every house wherein any people meet, "exceeding, by a certain number to be stated in the act, the real family of the house." So convinced am I, said he, that there can be but one feeling, and one opinion, that some measure of this kind is necessary; [*here a cry of*

hear! on the opposite side] and so little am I shaken in that conviction* by the adverse vociferation of "*hear! hear!*" that I am sure I should but shew a distrust of the cause if I said any more. I will therefore only move, "That leave be given to bring in a bill for the more effectually preventing seditious meetings and assemblies."

MR. FOX,

On the same subject.

He said that he felt as much horror at the attempt which had been made against his majesty as any man in this kingdom; but he did not think he should express well his feelings if he declared that his indignation at what happened even on that day, was more than equal to what he felt from what he had heard that night. The chancellor of the exchequer ought to shew the necessity of the bill he proposed; if he meant to ground the necessity upon the assumption that what happened on the first day of the session was in consequence of what passed at the meetings to which he had alluded, he believed he would fail in the attempt. It was said there was a seditious meeting held somewhere in the neighbourhood of the metropolis a few days before the meeting of parliament; that at such meeting very alarming proceedings had taken place, striking at the very existence of parliament itself. If such meetings were held, and such speeches were made, the speakers were amenable to the law, and, when proved guilty, were liable to adequate punishment. But this bill was to proceed upon the

* It is a little singular that an adverse vociferation should not shake a man in his conviction of unanimity. I should suppose he could hardly have said this.

flimsy pretext, that all the violence and outrage that had been offered to his majesty, was the result of this meeting; of which there was not the colour of a proof.

It had been asked, Whether the house should not endeavour to prevent the repetition of such an insult? Undoubtedly it should. But then it should be upon evidence. And here the right of persons meeting any where, to consult on public measures, was to be affected in consequence of what happened to his majesty on the first day of the session, although there was no evidence to prove that the outrage arose from any proceedings that were had at any public meeting previous to that day. Whatever some persons might think to the contrary, the proclamation was not evidence: many had thought proclamations to be the acts of ministers for certain purposes of their own, for the increase of power.

The right honourable gentleman who proposed the bill, spoke with ease on the rights of the subject, as if he intended to bring the public to submit to the most rigid despotism. These might be provided for in the detail of the bill. In that detail, Mr. Fox said, he should never take a share, for he would never attend the detail of a measure which in its essence was detestable. He contended, that public meetings for the discussion of public subjects, were not only lawful, but the very essence of the constitution, and of the liberties which Englishmen enjoy. The mover of the bill had said that these meetings were not to be prevented—they were only to be regulated. Attend, said Mr. Fox, to this regulation. I thought I knew the rights of man, and the rights of Englishmen. [*Here was a great cry of hear! hear!*] What, said he, is it a slip, do you suppose, and that *the rights of man* is a sentence without a meaning? Have men no natural rights? If so, Englishmen's rights can have no existence. The rights of man, I say, are clear; man has natural rights; and he who denies it, is ignorant of the basis of a free government; he is ignorant of the first principles of ours, for these rights

are naturally connected with the best parts of the history of our country.

The people, he said, had always a right to discuss their grievances, and to petition for redress, not only the houses of parliament, but even the king himself: but now, it seems, they are not to do so, unless notice be given to a magistrate, that he may become a witness of their proceedings. This attendant magistrate, this jealous witness, was empowered to arrest any person whom he in his wisdom thought had uttered any thing seditious. Not only so; he had power to dissolve the meeting at his own will. Say at once, said Mr. Fox, that a free constitution is no longer suitable to us; conduct yourselves at once as the senators of Denmark did: lay down your freedom, and acknowledge and accept of despotism; but do not mock the understandings and the feelings of mankind, by telling the world that you are free. Can a meeting, under such restrictions as the bill requires, be called a meeting of free people? Is it possible that the feelings of the people of this country should be thus insulted? Is it possible to make the people of this country believe, that this plan is any thing but a total annihilation of their liberty?

Mr. Fox then adverted to what had fallen from Mr. Pitt respecting "Mansfield's Act," and observed, that from this the hon. gentleman thought himself authorized to bring in a bill to prevent the discussion of questions on any day; and this was to be applicable to all places where money was to be taken, merely on an allegation that such question *might* produce mischief. But this was not to be all—it was applicable, it seems, to places where no money was to be taken, because, in truth, persons might be admitted by means of tickets; and they must not amount to a number beyond a certain one which the minister should be pleased to insert in his bill, unless duly licensed by a magistrate. He would ask again—Was this, or was it not, to *prevent all political discussion whatever?*

Behold, said he, the state of a free Englishman! Before he can discuss any topic which involves his liberty or his rights, he is to send to a magistrate who is to attend the discussion—that magistrate cannot prevent the meeting; but he can prevent the speaking because he can alledge that what is said has a tendency to disturb the peace and tranquillity of this realm. He hoped the people would be alarmed at the danger their liberties were then in, and assemble, while they might, to discuss the best means of preserving them from the encroachments of the proposed bill, and state their abhorrence of the principle of this proceeding. Those who did not take this step, he should pronounce traitors to their country. Suppose, for a moment, that the only object which the authors of this measure have in view be to prevent a revolution in this country: if this were their real motive, how could they think to avoid such an evil by proceeding upon a plan which has no respect for the liberties of the people, no esteem for the experience to be derived from a perusal of our history? Good God, Sir! exclaimed Mr. Fox, I have seen and have heard of revolutions in different states: but they were not owing to the freedom of popular opinions, nor to the facility of popular meetings; they were owing to the very reverse of these; therefore we ought to put ourselves in a state as different from them as possible. But, unfortunately, the present ministers are leading us into a situation as nearly similar as they can to those in which these revolutions happened; particularly to that which at this hour is most interesting to us—the reign of Charles the First.

Mr. Fox next adverted to the French revolution, and desired Englishmen to observe what brought about the revolution there; and they would find that it was not to be attributed to the facility of public meetings, but on the contrary, to their *lettres de cachet*, and other means which were employed to prevent the public from manifesting their opinions on the affairs of government. We

should therefore to avoid distress similar to theirs, avoid the cause that occasioned it. If the complaints of the people be unfounded, there can be nothing to fear; for the more vehemently and loudly they express them, if they be groundless, the less effect will they ultimately produce; but if a stop be put to this vent for the ill-humour of the body politic, there can be no alternative between abject submission and violent resistance. He concluded by observing, that, if this bill was brought in, he should think it his duty to move for a call of the house.

MR. ERSKINE.

On the same Subject.

In the beginning of his speech, he referred particularly to what had just been advanced by the solicitor general, who had asserted, that the present bill was strictly consonant to the principles of the constitution. An act of this description, said Mr. Erskine, was never thought of in the reign of Charles the second, after the horrors and confusion of the former reign; such an act was never attempted in the reign of king William, when the government was newly established, during a disputed succession, or in the two rebellions that raged in the subsequent reigns; it was an act which even the present ministry never thought of passing, when they suspended that grand palladium of English liberty, the *Habeas Corpus* Act; nor when they had the reports of committees, stating the existence of treasonable plots, upon their table. The *learned* solicitor, he said, defended the necessity of passing the present bill, without any fresh reasons or new

plots, instead of adducing new evidence, he had trodden again the *dull* track that he had trodden so frequently before, and had travelled back again to the meeting that had been held near Sheffield, in which Mr. Yorke, it had been asserted, made a speech highly seditious. In contradiction to the assertion of the solicitor general, that the right of the subject to petition the king was not taken away by the proposed bill, Mr. Erskine said, he would maintain positively and distinctly, that the bill, if it could be reduced to practice, would absolutely destroy the right of the subject to petition. It was a maxim in law, when any thing was prohibited by law, the means by which such thing might be done were also prohibited. According to the enactments of the bill, no subject was to be discussed which the magistrates did not approve of; thus those magistrates "who were appointed by, and removable at the will of the crown, (such as sheriffs, &c.) were to be judges of the nature of the petitions of the people." The magistrates, who represented his majesty, he contended, would therefore never permit the people to meet for the purpose of petitioning against a measure of high prerogative, or in any case where the king might be supposed not to consult the happiness of the people. He would say again and again, that "it was the right of the people to resist that government which exercised tyranny." It had been said that bold language had been held at public meetings; it was certainly bold to say that the people had a right to resist, and that they ought to rise; but there were some occasions which rendered the boldest language warrantable.

With the sanction of the sentiments of the venerable earl of Chatham, he would maintain that the people of England should defend their rights, if necessary, by the last extremity to which free men could resort. For my own part, said Mr. Erskine, I shall never cease to struggle in support of liberty. In no situation will I desert the cause. I was born a free man, continued he, and I will never die a slave!

In the whole of the late proceedings and events, he observed, one of the most fatal circumstances had been, that the higher orders of the people separated themselves too much from the lower orders. This had been one of the causes of the revolution in France. Under their arbitrary monarchs, there were literally but two classes of the people; a pampered, profligate, proud nobility, and a low, miserable, and abject rabble; no intermediate class, no knowledge, no virtue.

France had an unreformed church, an unreformed state, a profligate despotism, and the most profound superstition. He argued the necessity of preserving the British constitution pure, in order to prevent a revolution. He defied the whole profession of the law to prove that the bill then before the house was consonant to the principles of the constitution. The constitution was abrogated and annulled by it. Our ancestors were content to wait till some *overt* act appeared, which was the subject of punishment. But, under this bill, the determination of a magistrate was to interfere between the people and the assertion of their rights, and the complaint of their grievances. Depend upon it, said Mr. Erskine, the people of England *will* not and *ought* not to submit.

Mr. Erskine then read a paragraph from an address to the jury at the Old Baily, upon the late trials for high treason, which shewed that no conspiracy had existed, and that the opinion of the judge had not been as represented. The chief justice says—

"All men may, nay, all men must, if they possess the faculty of thinking, reason upon every thing which sufficiently interests them to become objects of attention; and among the objects of the attention of free men, the principles of government, the constitution of particular governments, and above all, the constitution of the government under which they live, will naturally engage their attention and provoke speculation. The power of communication of thoughts and opinions is the gift of God; and the freedom of it is the source of all science,

the first fruits, and the ultimate happiness of society; and therefore it seems to follow, that human laws ought not to interpose, nay, cannot interpose, to prevent the communication of sentiments and opinions in voluntary assemblies of men."

Mr. Erskine next commented upon the preamble and several clauses of the bill, and contended, that it was in the power of any one man, by going to a meeting and speaking a few seditious words, whether apposite to the subject or not, to afford a warrantable reason for a justice to dissolve the meeting, any spy (and magistrates had their spies) with half a crown in his pocket, might go, and, by uttering seditious expressions, afford his paymaster the power of putting an end to all discussion, and to the meeting. He said the law of the land was fully adequate to all the purposes of good government, without the introduction of the present measure. In any public meeting, when a breach of the peace was committed, a magistrate, by the existing law, was entitled to interfere; and, in his support, was authorised to raise the *posse comitatûs*, if necessary; and also, by the Riot Act, he had the power of dispersing tumultuous assemblies.

He then alluded to some sentiments which were formerly uttered by Mr. Burke when speaking of the American war, which he thought peculiarly applicable to the present time. That great man represented Englishmen as contending for an imaginary power; "We begin," said he, "to acquire the spirit of domination, and to lose the relish of *honest equality*. The principles of our forefathers become suspected to us, because we see them animating the present opposition of our children. The faults which grow out of the luxurriance of freedom, appear much more shocking to us than those vices which are generated from the rankness of servitude."

It appears from hence, said Mr. Erskine, that the word *equality* is not a word of new coinage, and introduced into the dictionary only three years ago; but a

word of long and ancient usage, and stamped with such an authority as that of Mr. Burke. It was his opinion, that the higher ranks did wrong in thus seceding from the lower. If the latter had swerved from their duty, it would be better for the former to rally them round the principles of the constitution, and lead them back to their duty, than thus to make, as it were, a separate cause against them. Let those higher ranks recollect what must be the certain consequence of a contest between them and the lower ranks. He contended, that if the proposed measures were adopted, it would indicate to France, that this country was in a convulsed state; and as we had expected better terms from them on account of their being in a convulsed state, so they, on the same ground, would be induced to expect better terms from us, if they supposed England to be in a state of confusion.

Good God! said Mr. Erskine, because a king, whose morals make him dear to every man in the nation, was going down to his parliament during a war which had snatched the bread from the mouths of the poor,—because, in the crowd that surrounded him, there was one man miscreant enough to offer an outrage to that king, for which act he might be punished by the statute of Edward the third,—are the whole people of England, on that account, for the crime of one man, to be deprived of their most valuable rights and privileges?

The learned advocate then went into a legal argument, to prove that the offences recapitulated in the present bill might be punished by the existing laws, and that those laws were amply sufficient. The 13th of Charles the Second was admitted to be the precedent of the bill. Under that act 100,000 persons might meet, and sign any petition to the king or the parliament voluntarily; but the act prevented persons from hawking about petitions to persons to sign, who might not know that any grievances existed. It also provided that not more than ten persons should present any petition to the king. It

authorised magistrates to interfere when an overt act of tumult took place, or to require security if danger to the peace was apprehended: but it never prohibited a meeting to be held. It did not forbid voluntary communication, but prohibited tumultuous petitioning; whereas the bill then before the house prohibited petitioning upon grievances which actually existed. He then alluded to a reform in parliament, and observed that the language of Mr. Pitt once had been, "That we had lost America by the corruption of an unreformed parliament; and that we should never have a *wise and honourable administration*, nor be freed from the evils of *unnecessary war*, nor the *fatal effects* of *the funding system*, till a radical reform was obtained." But the same right honourable gentleman was then attempting to brand with the imputation of *sedition* all who employed the *same language which he himself had once held*, or who expressed their discontent at the fatal measures which in that speech he had himself predicted.

LORD THURLOW.

On the same Subject.

He urged several grave and weighty arguments, to prove that the consequences which had arisen from the propagation of jacobinical principles in France, afforded no justification for the legislature of this country to enact new laws, with a view to the prevention of similar effects here: he thought the members of that house had nothing to do with what had passed in France. The bill was to be objected against, as establishing a bad pre-

cedent, under countenance of which a variety of *bad laws* might creep into the state, and defile the pages of the statute-book. While he thought the existing laws sufficient to suppress seditious assemblies, he could not help remarking the variety of misconceptions that had taken place respecting the bill; and in no particular more than in the idea that it trenched upon the right of the subject to discuss public grievances, to petition, complain, or remonstrate, or otherwise address the king, or either or both houses of parliament, respecting them. So far from that being the case, the bill set out with recognizing that principle in the plainest and broadest manner. His lordship pointed out the distinction between the extent to which the provisions of the bill went, and that of the provisions of the act of Charles the Second, and the act of George the First, commonly called the Riot Act. By the latter, the persons assembled for an unlawful purpose did not incur the penalty of death, unless they continued together riotously and tumultuously for one hour after the act had been read. By the present bill, if an assembly met for the mere discussion of public topics, continued together peaceably to the number of twelve or more, for one hour after proclamation made commanding them to disperse, they were guilty of felony without the benefit of clergy; and the magistrate was ordered to put them to death, or at least he incurred no penalty, if, upon resistance, any of the persons so continuing together lost their lives. This was, in his mind, an insuperable objection to the bill; and he therefore voted against it.

MR. FOX.

On the Address to his Majesty.

He censured the speech, and the ministry from whom it was written. It was not, he said, [illegible] of *the* [illegible]hat they should for three years persist in a war fo[illegible]d." But speculation, add one hundred millions of de[illegible] attend capital, load the people with four millions *per annum* of permanent taxes, and make them feel all the miseries of scarcity, but they must be insulted by the *falsehood* of being told "their station was improved." How improved? It could not be shewn from the successes of the Austrian army. After the loan voted to the emperor, and the pretences upon which it was granted, the people were told that it was an improvement of their situation, that the French had been recently obliged to retreat from posts of which they were not in po[illegible]ssion at the time of the guarantee. Was it an impro[illegible]nt, that they had extended their dominions, beyo[illegible] Rhine, had got Manheim, and over-run the grea[illegible] part of the Palatinate? Was it because the French had not over run Italy, that our situation was improved? Mr. Fox spoke in strong terms of the lofty disdain with which he had been treated the preceding sessions, on occasion of his predictions respecting the scarcity of grain. When another gentleman (Mr. Hussey,) at a later period, and upon certain information, used the same forcible dissuasive against war, he was rebuked for a suggestion which was treated as unfounded in fact. Was the verification of those warnings an improvment? The suf-

ferings of the poor he stated to be extreme. Oh! but France was reduced to unparalleled distress, and this was our comfort! He would not quarrel about words; but he must notice the strange logic, "that the people of this country were to be told that this unparalleled distress of the French was owing to the war, whereas the distresses in England had nothing to do with it." The depreciation of paper currency in France had been, he said, the incessant story with which the parliament and the people had been deluded from the beginning of the war. Two years ago, the assignats were said to be at a discount of 80 per cent. and this appeared to be tantamount to extinction; but when experience and practice were regarded, when the example of America was referred to, an enlightened statesman would hesitate before he presumed to delude his country by building upon such an hypothesis. Accordingly, France had added another lesson to that of America. France, which was reduced to such a state of weakness as to be an easy prey,—France, who in June last, was said to be gasping in her last agonies,—France, since the date of this expiring agony, had made the most brilliant campaign that the history of mankind exhibited. Such agonies excited his fears; and surely no man of common sense, after such an issue to this kind of reasoning, would again calculate upon success from the depreciation of their paper. Another argument used was, that the French were so destitute of provisions, as to be obliged to unload the ships at Brest to supply Paris with bread. But what must be their feelings in the cause in which they had engaged, that could, under such a pressure of scarcity, rouse them to such exertions? From a minute investigation of the speech, Mr. Fox observed, that it held out to the country even less hopes of peace than his majesty's speech the preceding year. At no period of the revolution might it not have been equally said, "that it would produce consequences highly important to the interests of Europe." Mr. Fox noticed the an-

nual attempt he had made to induce a negotiation, and desired to know whether our perverse continuance in the proud denial that it was a proper time to negotiate, had bettered our situation? On the contrary, he said, the practicability of peace upon safe and honourable terms had become more hopeless. He hoped the gentleman who admitted the restoration of the emigrants and of the house of Bourbon to be hopeless, and that ministers were convinced that it was prudent to calculate the value of an object, and not to pursue it, however desirable, beyond the rational hope of obtainment, spoke from authority. If the disasters of the war had produced this conviction in ministers, however he lamented the calamity which produced this restoration to reason, he should think our situation improved. The expedition to Quiberon was, he supposed, one cause of this conviction. Mr. Fox, with an uncommon glow of expression and energy of manner, reprobated this ill-fated expedition, and the savage barbarity of denying to the gallant and dying Sombreuil the consolation of publishing his letter. Yet, in defiance of this lesson, he observed, another expedition was framed to l'Isle Dieu, which, if carried into effect in the same manner as the first, would have been equally disastrous. He pointedly noticed the inconsistency of ministers in summoning Belleisle to surrender in the name of Louis XVIII. Had Belleisle or Noirmontier yielded to this summons, we must have landed and taken possession of them in the name of Louis XVIII. and pledged ourselves to restore him to his rights, which would have reduced us to the alternative of abandoning the prince and his followers with infamy, or of prosecuting his cause with despair, as this was a hopeless cause. He ridiculed with much force the arguments supported by the different speakers in the debate in favour of the war. They were, he said, theories which might suit well for a literary or political disputant, and be amusing in a club-room or a pamphlet; but for a man to undertake the

office of a statesman, and to bring such theories into practice, was an outrage, not only upon common sense, but upon moral duty. Mr. Fox commented upon the extreme folly of entering into a war against opinions. He contended, that, at every moment from the commencement of the war to the present time, ministers might have negotiated upon better terms with the French than they now could, and that our relative situation had been gradually growing worse. He pointed out several periods when, according to the language held out by ministers, it might have been prudent and consistent to treat. Yet, when a motion was made for this purpose on the 26th of January last, which it was not convenient directly to oppose, an amendment was moved, that they were ready to enter into a negotiation whenever a government was established capable of maintaining the accustomed relations of amity and peace. Was negotiation offered when such a government appeared? It was proved that France did maintain such relations, since Prussia, Spain, many of the states of Germany, and even the elector of Hanover, had made peace with her. Mr. Fox ridiculed the idea of waiting to treat till there was some experience of the new constitution of France, since experience had proved that neither the changes of men nor of constitutions affected the engagements they had formed with foreign countries. It was, he said, idle to talk of the theory of a constitution being a dependence for the observance of a treaty: if a rational treaty was made, and it was the interest of the parties to keep it, that was the only true and wise dependence for the continuance of peace. The offer of negotiation, he thought, ought to come from us, as having made declarations which stood in the way of negotiation. This was neither the time nor the place to settle the terms of peace. The terms in every negotiation must certainly depend upon the relative situation of the parties! but he could not admit of the eternal evasion, that one year we were too high to treat, another year

we were too low; and thus war was prolonged without one calculation, whether the expence of continuing it for one year was not more than the difference of terms to be expected between a good and a bad relative situation. We were now left with one ally, and that ally must be bribed to continue. Adverting to the apprehended scarcity, Mr. Fox said, it was an insult upon common sense to urge that war and military expeditions did not in their nature aggravate scarcity. The quantity of increased consumption, without taking into account the quantities damaged and lost, was immense. Had government, pursuing the example of France, unloaded the transports that were sent to Quiberon, they would have done more towards alleviating the scarcity, than all the corn which their agents imported. Again adverting to his majesty's speech, Mr. Fox observed that when he had first mentioned negotiating with the French, it was said, What, would you negotiate with men about to stain their hands with the blood of their sovereign? Yet, if the present speech meant any thing, it meant that with these very men ministers would have no objection to treat, and even with Tallien, who had dipped his hands in royal blood. He ended by moving an amendment, which, after enumerating the circumstances of our disastrous campaign, and stating from experience, that the French were able to maintain the accustomed relations of peace and amity with other nations, prayed his majesty that such terms of peace should be offered to the French republic as should be consistent with the honour of the crown, and with the security and interest of the people.

MR. PITT.

In Reply.

He considered the amendment as merely the mockery of returning to a state of security and peace. He vindicated the first proposition contained in his majesty's speech. The period comprised in this proposition contained, he said, the space between the opening of the last session of parliament, and the present moment; and he expressed his satisfaction in the present state of security compared to that ten months ago. His grounds of satisfaction were, he said, that, *allowing for the victories and advantages obtained by the enemy*, and for *all the calamities which had befallen this country* or our allies, the house, from looking at the present principles of the war, must observe the grounds of his satisfaction, and the state of our improvement!! They could not but perceive the enemy's reduced means of prosecuting the war. They were now in a situation to afford us fair prospects of their being soon perhaps more capable of giving reasonable security for engagements of peace. They felt a greater necessity for peace, and were more disposed to it. Their reduced means were demonstrable: at the commencement of the last session, the value of the assignats was from 20 to 25 per cent. they were now only one and a half per cent. they have at present only one sixteenth of their value ten months ago. The prodigality of their system forced into circulation between 6 and 7 milliards, which was equal to 280 millions sterling; this was three or four times more than the amount of all the money in France in its richest state, and which its commerce wanted for its circulating *medium*. The French had, he said,

now assignats in circulation to the amount of 720 millions sterling, and the number was still increasing; they had therefore to face another campaign under these circumstances; and, were the other powers of Europe to put them to the hard necessity of trying the experiment, he believed that the prodigal resources of their system could not be supported without the restoration of the system of terror. Mr. Pitt allowed the advantages derived by the enemy from the equivocal conduct of Prussia, and the disbanding of the armies withdrawn from Spain. But it was to be observed, that, for every pound sterling formerly paid to each man in such an army, sixteen pounds sterling must be given at the beginning of the present year. After urging a variety of arguments to prove the ruinous situation of their resources, Mr. Pitt observed, that these resources might last a longer or a shorter time, before they produced their final effect; but they had in them the seeds of decay, and the inevitable cause of a violent dissolution. The remedies proposed in France for this evil were not less ruinous; and the losses they sustained in commerce and manufactures were enormous. He admitted the successes of the French on the Rhine, the calamitous fate of the expedition to Quiberon, and that the enemy had been only kept on the defensive on the side of Italy; but still the internal situation of France was most wretched and deplorable. On the mischiefs of *paper currency* he again expatiated—if the assignats were taken out of circulation, the French could not command the labour of their own subjects, either for civil or military operations. To many persons employed by the state, they had been obliged to allot a number of necessary articles in kind. They had also been compelled to add one seventh in money to the daily pay of their soldiers, who thus received ten times the amount of their pay in assignats. When he considered their total inability to carry on the war for another campaign, he could not doubt the situation of things was materially improved.

There were, Mr. Pitt said, many circumstances in the present situation of France, favourable to a disposition to treat for peace, though it was a question whether they were sufficient to make it advisable or practicable to treat. The present government of France was praised very highly by him, compared with the preceding forms; but he still questioned the ability of the French to carry it into execution. That constitution, said Mr. Pitt, in the form in which it has been decreed, may have been examined, and may have been put in activity with such acquiescence of the nation, as to enable their representatives to speak on behalf of the people of France; and I have no difficulty in saying, if that event should have taken place, from that time all objections to the form of that government, and to the principles of that government, all objections to them, as obstacles to negotiation, will be at an end. I will also state, with the same frankness, that, should that be the termination, whether it will then lead to the issue of competent security, and a reasonable satisfaction to this country, must depend on the terms. If, under those circumstances, by any precipitate and premature desire for peace, from any disposition to under-rate our real strength, or any want of fortitude to bear what I admit to be real difficulties,—if we should overlook the ten thousand times more complicated distress of the enemy, and put an end to the advantages they give us for obtaining peace on just and suitable terms, that would in my opinion be the most fatal event that could possibly happen.

Mr. Pitt proceeded to mention his regret, that, in consequence of the desertion of the allies, the issue of the contest would be much less satisfactory than it might have been. Comparing the situation of the people of this country with that of France, he enlarged upon the variety of advantages they enjoyed. He accused the French of having failed in maintaining their neutrality in America where some subjects of France had endea-

voured to excite a conspiracy, and had interposed also with the republic of Geneva. Did it, he asked, follow, because the French did not attack the king of Prussia when they were warmly engaged against their other enemies, that they would have paid the same attention to a general peace? They would then indulge those passions of resentment, ambition, or caprice, to which a military republic might be supposed to be liable. The two countries of Great Britain and *Hanover* could not pursue the same line of policy, from their different situation. He denied that he had made war upon private opinions, for the purpose of extirpating them. The French contended, that they alone had the only lawful government: if we had subdued the malignity of that opinion, we had vindicated ourselves and Europe from the greatest dangers.

DUKE OF BEDFORD.

On the Address to his Majesty.

He thought, when an address was proposed to be carried to the throne, that it was consistent with the dignity of parliament to adopt a language of its own, rather than that of the minister. He should therefore recommend language very different from that of the address proposed. The inability of the French to continue the contest, had been the constant theme of ministers from the commencement of the war; and the ingenuity of administration in contriving excuses for carrying it on, was admirable. Years ago, their lordships had been told that the French could not hold out three months

longer; but practice, opposed to theory; had proved; that, in proportion as ministers had affected to depreciate their resources, their vigour had increased. The improvements, said by ministers in the speech to have taken place since the last year, he spoke of as a gross and palpable misrepresentation. He did not expect to hear it stated as a matter of triumph on our part, that the French had not been able to over-run Italy. If this was triumph, he should soon expect to hear it was a matter of satisfaction that we still existed as a nation. We were told that the advantages obtained by the enemy were far from compensating the calamities of war. This was true; for victory after victory, without one defeat, could not do this; but if this was the case with the victorious party, what was our condition, without victory, with many defeats and losses, and the desertion of our allies? If, as we are told, the French people wished for peace, of which he had no doubt, what must be the wish of the people here in their present suffering situation? His grace said, he had expected some hopes to have been held out, when we were told that France was come to a crisis that would produce important events to Europe. Did ministers mean to insinuate that the present government of France was not such as was capable of keeping the faith of treaties? At this time they dared not attempt so gross a delusion on the understanding of their lordships. There never, indeed, was any thing solid in the objection to their ability to preserve the faith of treaties and neutralities, as was evident from repeated instances. His grace noticed the calamities already consequent upon the war, and the disasters of the last campaign. In the expedition to the coast of France, besides the sacrifice of many brave and illustrious men, who had often protested against the project, but who had no alternative, large quantities of ammunition and stores were wasted at a time when our poor were either starving or depending on the

precarious bounty of the rich. In the west Indies, he thought none would say we stood upon a better footing than at the beginning of the war. What our losses in men there were, he was afraid to calculate. All these calamities, together with the dreadful evil of scarcity, his grace imputed, with many others, to the corruption and wickedness of administration; but in the opinion of all, to their weakness; and he exhorted parliament to tell the truth to their sovereign, who, was he once made acquainted with the wretchedness of his people, had too much goodness not to be struck with their sufferings, and to take the only step by which they can be effectually relieved,—to give them peace. He concluded by moving, to entreat his majesty to review the state of affairs for the last three years, the desertion of the allies, the pillage or insecurity of the West Indies, the disgraceful or abortive expedition to France, and the unparalleled expenditure of blood and treasure:—that therefore the house entreated his majesty not to act on the opinion that the French could not preserve the relations of peace and amity, but that his majesty would take immediate and decisive measures for a negotiation for peace, without adverting to the government of France; and adding, that if the present government of France should refuse to treat, that house would persevere in a vigorous prosecution of the war.

LORD GRENVILLE.

On the same Subject.

He contended, that the circumstances particularized in his majesty's speech were real and solid improvements in the situation of this country! In addition to the checks received by the French on the side of Italy and on the Rhine, our naval superiority had been more decidedly established since the last year than at any former period of our history. His lordship ably entered into the history of *paper currency* and assignats, to prove the impossibility of the French continuing their exertions, and cited the opinion of general Montesquieu, who, in a memorial on the subject had enforced the necessity of withdrawing a great part from circulation, and out of 13 milliards leaving only 3; but since that time the circulation had been increased. Every writer on the subject of *paper currency* was, he said, agreed, that such an enormous mass, so little proportioned to any solid capital, must at length accomplish the utter ruin of a state. By the exertions we had made, and by the distresses we had caused to be felt, the desire of peace had become general in France. The new constitution there was, his lordship said, a miserable and imperfect copy of ours; but with all its defects, it was a valuable acquisition to this country, as it might lay the foundation of peace. His lordship vindicated the speech of his majesty for expressing no determination to treat upon terms short of those which the country had a right to expect. He considered the advice which the duke wished to present to

his majesty as highly impolitic and extraordinary in the untried situation of the French government, and as justified by no distress, no pressure, no exigency. His lordship asserted, the scarcity was in no respect owing to the war; much of it was, he said, owing to the present unproductive situation of the Netherlands. The disaster at Quiberon had not occasioned it, as the grain which fell into the hands of the enemy consisted chiefly of the cargoes of some of the American ships which had been seized in their way to France. The bad success of that expedition was, he contended, solely to be ascribed to the treachery of the emigrant corps, which could not have been foreseen.

MARQUIS OF LANSDOWNE.

On the same Subject.

He pointedly ridiculed the satisfaction enjoyed by the ministers, on finding that the prophecies he had formerly uttered in that house, on the conduct of our worthy allies, had been but half as bad in the accomplishment as they were predicted. After enumerating the victories of the French, and detailing the desertion of the allies, he wished to be informed, how many years of such *improvement* the nation would be able to bear? Judging of the future by the past, he had but little confidence in ministers; but if their boasts of our improvement and temporary success were well founded, this was, above all others, the most favourable season for negotiation. The empire could only be saved by peace; and it was of the utmost importance to preserve it entire. The old

story of the French finances had again, he said, been brought forward; he wished some attention to be paid to the finances of this country. If those of France were not unlimited, the finances of Great Britain were not without bounds. His lordship wished to know if the taxes of this year had proved productive. If they failed, all was over. People could only bear taxes to a certain extent: a few more would weigh down the scale. As to the West-India expedition, there was little chance of making an impression on St. Domingo; and of this lord Chatham was so sensible, that in his seven years' war he never would attempt it. The armament was, he understood, the worst arranged and equipped that had ever gone from this country. After stating its probable inefficacy his lordship asked, whether a worn-out island or two, if taken, were worth the price of such an armament? The plan of the French, in sending out ship by ship, was what our ministers should have followed. If the discussions in the French convention were to be depended upon, the French would not give up the Netherlands for West-India settlements, as they were powerful enough not only to retain their own islands, but to invade ours. The language of the speech, though rather more pacific than that of the preceding year, meant, he said, nothing more than a display of the dexterity of ministers in proceeding with the war another year. The last year every thing was to be atchieved by a decisive and vigorous effort; now the new order of things in France was to be relied upon. With respect to the assignats, it was plain the noble secretary inclined to the old exploded idea, that money was the sinew of war,—an idea contradicted by the best writers ancient and modern. Livy told us of three things which constituted the sinews of war,—good soldiers, good commanders, and good fortune; all of which the French possessed in an eminent degree. His lordship repeated his former argument, that nothing in point of resources was beyond the reach of a revolutionary government, whereas regular governments had

their limitations in this point; and he trusted that what had happened to the old government of France would serve as a warning to ministers, of the fatal consequences of improvidently exhausting the revenues of this country. He earnestly recommended immediate negotiation: and after an exhortation to peace, as the only effectual remedy which could be applied to the grievances under which the country groaned, his lordship declared that he should support the amendment.

MR. FOX.

On the State of the Nation.

The honourable gentleman (Mr. Dundas) resists this motion, this night, in a way which, though not wholly new from the same quarter, brings, with every repetition of the same argument, some fresh cause for astonishment. The alledgment that this war has been successful, is not made now by that honourable gentleman, for the first time, it is true; but then his recurrence to former, I will not say exploded, but too frequently urged, and as frequently refuted reasonings, is compensated by something quite untouched in past discussions. It now seems that this war was undertaken for the purpose of conquering the colonies and destroying the commerce of France. The restoration of monarchy—the overthrow of jacobin principles—the abasement of France, and confining her to her ancient limits—the balance of power—the cause of law, order, and religion—all these are gone by; and the splendid reveries, that were soothed

by such contemplations, are fallen, alas! and sunk down to the capture of ships and of tropical settlements. In this view of things the honourable gentleman ventures to compare the success of the present with that of the seven years' war, and finds great consolation in discovering, that even in that glorious contention there had been some reverses—alluding particularly to Minorca and to Rochefort. With some portion of triumph he refers to these misfortunes, and applies his discovery, in rather a singular manner, as an argument to the present question; for he gives you this piece of history as a reason against going into any enquiry regarding the failures of the present war. Most unfortunately for the honourable gentleman, the very misfortunes to which he has adverted were instantly followed by enquiries in this house. It has been reserved for the present war, though the most disgraceful in its external, and the most wretched in its domestic consequences, of any that this country ever waged, to be the only war in which this house never saw any grounds for retrospect or revision. All the collected calamities of all their predecessors, for ages, do not equal, either in kind or in number, the exploits, during the present war, of the administration just retired from office; yet they are the only men ever possessed of the powers of government in this country, who never, even in a single instance, yielded to any enquiry, upon any part of the innumerable and varied disgraces that have marked the last nine years. So unlucky is the honourable gentleman in the case of Minorca, that every thing respecting that business makes directly against him. To whatever cause the loss of that island may be attributable, this house immediately enquired into the cause. A person for whose memory I have the deepest gratitude and love, then one of the king's ministers, far from resisting, as the honourable gentleman resists, was the most eager in insisting upon enquiry. Unlike the present times, the house of commons, then, had not been tutored, into that confidence in ministers

which distinguishes later periods; and the parliamentary enquiries that followed the failures to which the honourable gentleman alluded, so far from embarrassing the operations of government, or unnerving the martial energies of the country, (these stale objections to the approved and happy practice of our ancestors) were succeeded by a series of unexampled renown. Such is the honourable gentleman's luck, in his historical references! Not one word that I have ever uttered, or that ever came out of the lips of any friend of mine at this side of the house, has tended, even in the most distant degree, to slur or under rate the atchievements of our fleets: and I will leave the house to judge whether any persons, in it or out of it, have dwelt with more rapture upon the triumphs of that branch of the service than we have — From this, however, the honourable gentleman strives to draw a defence, of a nature truly singular. He endeavours to intermingle with the glories of the navy the absurdities of his own expeditions: and asks, how the military plans can be all folly, and the naval all wisdom, both being advised by the same heads?—The question answers itself. It is in the nature of naval tactics, that a great deal depends upon the officers and men, upon winds and weather;—in land operations a good plan is almost every thing Yet the merit of the admiralty is indisputable. It is true, there are parts of the administration of lord Spencer (for whom my personal respect is considerable) not free from blame, particularly what related to the invasions of Ireland; but where the general system has been judicious and prosperous, it would be invidious to dwell upon a few errors. The honourable gentleman would incorporate these two services; and is ready to take his share in the blame of the admiralty, generously commuting the glories of his department for their miscarriages. Sir, every presumption is in favor of the admiralty: every proof against him. Nobody asks about the merit of the admiralty. It speaks for itself;—and equally obvious is the true

character of the honourable gentleman's department. If all his expeditions have been marked by discomfiture and disgrace; if the failure of some is aggravated by circumstances too painful to touch upon; if such armies, with the courage they are known to possess, have produced only such effects,—the result is infallible. It is but to name the enterprizes,—and the information, the skill, the vigor, and the ability of those who planned them, are as plain as demonstration could make them. No man will ever enquire about the wisdom that projected the expeditions to Quiberon, to Flanders, to St. Domingo, to Holland, to Ferrol, to Cadiz, &c. These things are past all curiosity. The honourable gentleman has another way of reconciling this house to his disasters. With a precision that is quite ludicrous, and a gravity of face which, unless he were quite certain of his audience, would excite a suspicion that he was mocking the house, he gives us the dates, to an hour, of the days on which his expeditions sailed, when they landed, retreated, or capitulated: sometimes it is the wind, and sometimes the rain, and sometimes the frost, the snow, the cold, the heat; now it is too early, and then it is too late:—and to this notable narrative the house listens, without once saying, "Tell us of a single military enterprize in which you have succeeded? and if you cannot, give us some better reason than your own words to believe that you are blameless. Let us enquire into the facts, and judge for ourselves." The honourable gentleman, with this mass of defeats before his eyes, has the hardihood to talk of the success of this war; and thinks the enumeration of islands and settlements, and a schedule of captured ships and frigates, will blind the eyes and confound the understandings of men, so as to be diverted from the only proper consideration, the only rational test of comparative success; namely, the relative situation of the two countries, (of which a word by-and-by) in point of power. This is the true criterion of success, even without recurring to all the former motives to this

war—restoring monarchy, and putting down atheism and jacobinism, and God knows what. Of the word diversion, the honourable gentleman gives us indeed a very curious illustration. Up to this moment, I believe, no man ever understood any thing else by military diversion, but the drawing off, by means of a few, a larger number of your enemy, who might hurt you more in another quarter. The expedition to Holland, he tells us, had three objects in view,—the capture of the fleet—giving the Dutch an opportunity of shaking off the yoke of France—and making a diversion for our allies in Italy and on the Rhine. He asks, "Is it nothing to have ten ships of the line added to our own navy, which else would be at this moment the means of annoying us in the hands of our enemy?" Sir, in this, as in every other instance, the English navy did the duty assigned to it nobly; and if the capture of the Dutch fleet was a primary object of that memorable expedition, that object was accomplished without any necessity of hazarding any land experiments, under the honourable gentleman's auspices;—for in point of fact, the fleet revolted and surrendered before the landing on the Helder-point. With respect to the second object, namely, giving the Dutch an opportunity of shaking off the yoke of France, how the Dutch felt, and fell at this hour, with what horror they received your proffered release from their bondage, and the execration with which they load your name, it is unnecessary to state. But in the third and grand point, that of a diversion in favour of our allies, there we did wonders. If Europe were searched, not a place could be found so well calculated for enabling a smaller to combat a larger army, as this selected spot. To this fatal neck of land did that honourable gentleman devote thirty thousand British soldiers, and (whilst aggravated by the derision of Europe, this country had the mortification of seeing a British army purchase its escape from an army much inferior to itself, by the delivering up of eight thousand picked seamen) so signal was the benefit to our allies

of this precious diversion, that about the very time that the English army was making that respectable retreat, the grand armies of our allies, under Hotze and Suwarrow, were broken, beaten, dispersed, and routed, never more to rally or unite. Such was the honourable gentleman's *diversion* in Holland!—such its effect! But his unconquered mind was not yet subdued enough from military expeditions. He proposed new sources of renown for those armies whose happy destiny it was to be at his disposal. Because he failed in the north, he was certain of success in the south; and, sure enough, he dispatches a formidable force under sir Ralph Abercrombie, not as *a diversion!* no,—this body was destined to co-operate directly with the Austrians in Italy. This armament, delayed until any man of common sense must have seen its total inutility towards its professed object, arrives at Genoa, just in time—for what? to assist general Melas? No,—but just in time to have the earliest intelligence of his total ruin. It sails into the road of Genoa, to sail out again, and escapes into the Mediterranean at the very time the Austrian garrison in that capital passes out to meet their defeated countrymen in the northern-most parts of Italy. But was this co-operation desired by the Austrians? No such wish is expressed or felt. The honourable gentleman plainly enough lets us understand the direct contrary. And was it thus that British armies were accustomed to be treated in former wars? Was it in this way that prince Eugene acted to the duke of Marlborough? What then is the fact? but that the hitherto untarnished reputation of our arms has so suffered under the baneful mismanagement of his majesty's late ministers, that the co-operation of twenty thousand Englishmen is so slighted by our allies, that they deprecated their aid, and resolved to touch nothing belonging to us—but our guineas. Now, sir, as to the delay of this expedition to Italy, let me implore the attention of the house to the honourable gentleman's defence. With the same admirable

minuteness, as to days and dates, he tells you that this grand scheme was determined on the 22d of February. On the 23d, he told it the king. On the 24th he told it to the duke. On the 28th the duke told him something. The honourable gentleman then reads two letters, the one from sir Charles Stewart, the other from the duke of York, in support of this part of his defence. I have been called a new member of this night; and new and raw indeed must I be, and wholly ignorant of the practice of this house, if I could hear, without reprobation, that which would have been scouted and spurned in the good times of the English constitution,—when a spirit of just jealousy of its rights, and a proper sense of its independence, prevailed in this house, instead of a blind confidence in the executive government. In such times, no minister would have dared to have read to the house of commons of England the garbled extracts, just as suited his own purpose, of letters from general officers as an excuse for miscarriages, affecting in the nearest and dearest sense the honour and interests of the country. It is true that I have not been, for some time, in habits of intercourse with the illustrious person who is at the head of the army; but greatly indeed must he be changed from what I knew him, if he would not mark with his abhorrence this style of palliation. For what is it? and what does it prove?—that, if there were nothing more than we have heard, his Royal Highness ought to be instantly impeached. The national defence of England—its militia, is cut up by the roots; the general body of its officers is disgusted by the laws past in 1799, which transferred to the line so large a proportion of its best disciplined men. These men, leaving the militia a mere skeleton, are incorporated with regular regiments, and embarked for Holland: and, seven months after their first embarkation to, and five months after their return from, that disastrous enterprize, their commander in chief informs the executive government, if we are to believe the honourable gentleman, that it will take full two

months to discipline them into fitness for actual service! Was there ever before such a defence as this, hazarded before an assembly of rational men? Those troops, which at the expence of the national militia of this country, were boasted as most excellent in the summer, are declared in the beginning of the next spring, to be good for nothing, without, at the least, two months drilling and forming. They were, it seems, in the completest state possible for the field in August;—but in the following February, even their leader, if we are to believe the war minister, describes them as wholly useless, unless they have such a length of time allowed them to be perfected in their exercises as defeated whatever hopes the redoubtable project to the Mediterranean might excite. To all this, the honourable gentleman adds, that the weather was too wet for field-days, and, when not wet, was very cold—the men had not even an opportunity of knowing their officers. Some little advantage of climate France possesses over this country;—but never sure did any analyzer of atmospheres conceive, that the very weather which in one country prevented soldiers from peeping out of their quarters, enabled the other to collect and to create, from raw recruits, a perfect army, and to carry this army, so created, over those mighty barriers, the passage of which was one of the wonders of the ancient, and one of the doubts of the modern world. It was in that very weather, at the remembrance of which the honourable gentleman shivers, that Bonaparte—but not until he had almost prostrated himself, in his solicitations for peace, before the infatuated rulers of the unhappy nations at war with France—then it was, even in that weather, that this extraordinary man assembled and animated the youth of France. He found good weather for field-days, and had time enough so to drill and discipline his new-raised corps, as to break to pieces the veteran legions of Austria, and in one day to recover all the conquests of two successful campaigns. But had the honourable gentleman's expedition been

able to sail sooner:—If the battle of Marengo had not been lost:—But—If—Why, sir, I do not know what degree of fortune there may be in this battle, or in that battle; but I believe the honourable gentleman never was more mistaken than he would find himself, even in the event of Bonaparte's defeat at Marengo. Such were the precautions of that fruitful mind; so well did he arrange his measures; so little did he, in truth, trust to mere fortune, that if, against all probability, Marengo had been lost, that mighty genius had so formed and disposed his resources, that many and many a bloody battle must have been gained by his enemies before they could have made much impression upon the incomparable system of his operations in Italy last summer. I defy imbecility itself to string together a more motley pack of excuses than the honourable gentleman has laid before the house this night. Amsterdam had been taken, if sir Ralph Abercrombie had landed on the 16th instead the 27th of August.—Sir John Stuart's dislike to the Russians protracted sir Ralph's departure for the Mediterranean.—Ten thousand Irish militia were to come to England, and ten thousand English to go to Ireland.—Some of the troops wanted their new coats—some their arms.—One expedition sailed on the 8th of April, took shelter on the 13th, and re-sailed on the 24th.—It was designed to assist the Austrians, but the Austrians would not be assisted.—There was no plan or concert between the two courts.—An account current with the seven years' war; took more ships than lord Chatham, and more islands.—St. Domingo was unhealthy, and rather expensive; but it was a good market.—This war has opened worlds of new markets.—Returns, even to a man, of the new-raised corps at Gibraltar. Minorca, Malta, Portugal; and the total of your force now, and in 1797, with a most comfortable exactness.—The history of England from 1755 to 1762—from Severndroog to the Havannah;—In a word, such a series of insulting puerilities as no house of parliament was, ever

before, entertained with, under the name of a defence. So much, for the present, of the late secretary; and now to proceed to another view of the success of this war. The late chancellor of the exchequer tells us, that he forbears going over the military exploits, only because his honourable friend (Mr. Dundas) has put those things in the clearest light. He is equally positive as to the success of the war; but, not to usurp upon his truly fortunate colleague, he has his own peculiar instances to detail of prosperity, of comfort, and of multiplied happiness—all flowing in upon the country from his own more immediate department. Quite scandalized at my honourable friend's statement of the magnitude of the national debt in consequence of this war, the honourable gentleman pares down its amount since 1793 to the trifle of one hundred and sixty-millions: and how?—by a mode surprisingly curious indeed. First, he cuts out the fifty-six millions, for which the income-tax is mortgaged; and next, he desires you to forget all that the sale of the land tax has already purchased, or may yet redeem. Alas, sir! there is not a gentleman in this house would rejoice more than I, that the income-tax was to be set down for nothing; and I cannot help admiring that frontless insensibility under which the honourable gentleman passes over a grinding impost, that has ripped open the private concerns, and reduced the necessary comforts, of every man in England. The extinction of debt from the sale of the land-tax carries its own evil in its tail; and we might as well rejoice at our prosperity from that measure, as a private man would from paying his debts by bringing his estate to the hammer. The debts in so far may be paid; but the estate is gone for ever. The honourable gentleman must think his audience are children, when he attempts to cajole them by such a play upon words. In reality, what is the state of the country upon this point? From such a population as that of Great Britain, near forty millions sterling are annually

wrung: to this add ten millions more for the poor-rates, making together about fifty millions. The honourable gentleman has estimated the landed rental of England at twenty-five millions. Thus, then, we pay, yearly, double the produce of the whole rental of the country, in rates and taxes; a sum approaching very near the whole income of the country, taking the income-tax as the barometer of its amount. Was any nation ever before in such circumstances? If nothing else was stated but this undisputed fact, is it not, of itself, a crying reason for inquiry? Will the honourable gentleman tell us of any people that were (not in degree merely, but in kind or principle) in such a state, since the beginning of the world? As to the sinking fund, let it be always remembered that its effects, highly beneficial as they are, must depend upon the revenue keeping its level. If the revenue fails, the charm of the sinking fund vanishes into nothing. This, sir, is the true picture of our financial condition as a state; and the condition of the people is strictly answerable to it.' One sixth of all the souls in England is supported by charity; and the plight of a great proportion of those who contribute to their maintenance, is but little better than that of the paupers whom they succour. How the hon. gentleman has nerves to sustain him in venturing to talk of the happiness of this country would be incomprehensible, if our long experience of him had not convinced us of the fondness with which he can survey every act of his own. The repetition of his delusions, deludes even himself. He has indulged so much in these fallacious and fatal reveries, that he appears to have become his own bubble, and almost to mistake for realities the phantasmas of his bewildered wits. Let him ask any of the members from Yorkshire and Lancashire, what the state is of the manufactures in those countries; even those (looking at Mr. Wilberforce) of whom I may not think the best, will not venture to deny the starving, distracted condition of those great and populous districts. From them, he may receive an empha-

tical and decisive contradiction to his distempered and pernicious fancies. These, sir, are some of the internal effects of this war, which both the honourable gentlemen (Messrs. Pitt and Dundas) venture to compare with former contentions against France. We have taken more, they tell us, than even in the seven years' war, and therefore this surpasses that in success. Good God, sir! what an effect does a confidence in the votes of this house produce upon the understandings of men of abilities! To talk of this war, and that of the seven years!! We have destroyed the commerce of France—we have taken their islands, say you—But these I say, were not the objects of the war. If you have destroyed the commerce of France, you have destroyed it at the expense of near three hundred millions of debt. If you have taken the French islands, you have a bootless capture; for you are ready enough to restore them as the price of peace. You have taken islands—but you have, at the same time, laid the house of Austria prostrate at the feet of triumphant France. Have you restored monarchy?—Its very hopes are intombed for ever. Have you destroyed jacobinism, as you call it?—Your resistance has made it stronger than ever. Have you reduced the power of France?—France is aggrandized beyond the wildest dreams of former ambition. Have you driven her within her ancient frontiers?—She has enlarged herself to the Rhine, and to the Alps; and added five millions to her population in the centre of Europe. You had all the great states of Europe for your allies against France—what is become of them? All that you have not ruined, are your determined enemies. Where are the neutral powers? Every one of them league with this very France for your destruction. Could all this be chance? —No, sir, it is the true succession of effect to cause. It is the legitimate issue of your own system. You began in foolishness, and you end in mischief. Tell me one single object of the war that you have obtained. Tell me one evil that you have not brought upon your

country. Yet this house will not inquire. The honourable gentleman (Mr. Dundas) says, we have had more difficulties to encounter than any former government; for we had constantly thwarting us the implacable monster, Jacobinism. Sir, jacobinism has in it no property, so sure as the honourable gentleman's system, to propagate and confirm it. That system has given to Jacobinism life and nutriment, strength and maturity, which it could not have derived from any other source. Bent upon crushing every idea of any reform, they resolved to stifle the once free genius of the English mind, and suspend some of the most valuable parts of the English constitution rather than yield one jot. Hence their administration is marked, in this country, by a succession of infringements upon the dearest rights of the people—by invasions and rebellions in another country. The parent source of all these disorders is that baneful impolicy, in which both the honourable gentlemen endeavour to implicate this house. All we have done, says the honourable gentleman (Mr. Dundas,) who, to be sure, is more a man of things than words, has been approved by all, excepting a miserable *remnant* of this house, (an expression which he uses, I presume to show, that though an act of parliament may incorporate legislatures, it cannot unite languages;) and the other gentleman is so anxious to establish the popularity of his system, that he almost reproaches the house with coldness in their support of him. He complains that only seven-eighths of the members of this house were for his measures, when he had nine-tenths of the people. If this were true of the people, they would almost deserve their present fate; but the drift of all this is obvious enough. This identification of himself with the house; this laborious shifting, as it were, of the honourable gentleman's own responsibility upon their votes, is very intelligible; and he falls into that classical correctness which I have before noticed in his honourable friend, in his great zeal to make that point clear. Though he

has had three parliaments, chosen, one would have thought, pretty well to his taste, he asserts that even the majorities of this house could not come up to the tone of the public, in favour of his measures, which he says (thinking, however, with his honourable friend, that our opposition was, at the same time, an advantage to him), had the sanction of all, but a few exploded opinions in this house. Exploded opinions, then, he defines to be, opinions which this house negatives by its majorities. The honourable gentleman must allow me to inform him, that his great and justly revered father spent the greater part of his life in the enforcement of such exploded opinions. I must remind him, that he himself (who has since found such effectual means of giving currency to his sentiments) was for some time tainted with such exploded opinions. Exploded opinions have distinguished many of the wisest and the best men this nation ever produced; and though I lament the sufferings of my country from the neglect of these opinions, I assure the honourable gentleman, and this house, that there is nothing on which I should so steadily rely for the regard of good men, living, or of posterity, when in my grave, as those very opinions which the votes of this house have enabled the honourable gentleman to stigmatize as exploded. In point of fact, however, the honourable gentleman still surveying himself in the flattery of his own mirror, is wholly mistaken about these exploded opinions. It was to these exploded opinions that the negotiations of Paris and Lisle are attributable. We gave strong reasons in this house for peace. The public thought with us: and we have his own words, that he entered upon that treaty only in compliance with what he now calls exploded opinions. But the honourable gentleman has a keen anxiety, lest this house should not continue to think these opinions quite so exploded; for he asks, Will this house, by going into the proposed inquiry, disgrace its former votes? To which I answer, Yes, certainly, if this house will save the country. In the very house of

commons, to which I before alluded, the early scene of the honourable gentleman's exploded opinions—this very stimulus to pride was urged, though without effect. That house, as well as this house, was questioned, Will you, the uniform supporters of this war against America, disgrace your former votes? But, sir, they did disgrace their former votes; and, by so doing, they did honour to themselves, and saved their country. That parliament was a retracting and a recanting parliament. Bitter as it was, the draught was swallowed; and I have no hesitation in saying, that this house, to rescue this country, if that indeed be possible, from the perils in which that honourable gentleman has involved it, must tread in the footsteps of its predecessor in 1792—and, by renouncing the honourable gentleman and his system together, preserve this country from its impending dangers. Let it be observed, by the way, that the good acceptance of the honourable gentleman's opinions in this house, happens to have been supported by the subsidiary aid of all the power of this government. Possessed of that little adjunct, he may double or treble the national debt; but he may be pretty sure, that his opinions will have a tolerable reception here. To escape the odium of being exploded, he may be certain there is no remedy so effectual as his resuming his former office, or showing a perfect obsequiousness to those who are armed with its influence.—Now, sir, I come to the consideration of the late change of administration. Respecting France, the whole country could not afford a selection of men so calculated to excite distrust, and suggest *argumenta ad homines*. If any thing could justify the sporting with human life, never, sure, was occasion more apt of retorting the insulting folly made to Bonaparte's most conciliating proposals of last year. With how good a grace might he not answer, With you I cannot treat—you are but newly in the possession of a doubtful power—I must have experience, and the evidence of facts—You have called me a child and champion, and

sometimes a puppet: You are the children and champions of those whom I have covered with indelible disgrace.—How do I know that I can place the least reliance upon any treaty made with men, who, indeed, may be mere puppets, moved by wires in the hands of others? Thus might Bonaparte cast back upon this government the absurd impediments that were raised against any negotiation with him in January, 1800:—but I believe him to be much too wise, and too good a man; too sensible of that which constitutes his truest glory—the desire of giving a durable peace to the world; to resort to such objections, or descend, upon so important a subject, to repeat their words, whose example he has scorned in so many other instances. O! what a contrast is his conduct, to that of the gentlemen over against me! To the reiterated importunities of this side of the house, in favour of negotiation, they have replied alternately in this style: When beaten, What, said they, will you treat now, and dispirit the country?—is the moment of defeat the time for negotiation? Not so Bonaparte. Even in the state to which the directory reduced France—even before he drew the sword from the scabbard, he humbled himself, (if the noble wish of stopping the effusion of human blood could indeed be humility) to reconcile those honourable gentlemen to the restoration of the world's tranquillity; and it will be a matter of curious reflection for after ages to observe such a man as Bonaparte almost upon his knees in supplicating such conductors of war as those over against me, for peace. In the crisis of success, when we implored them to take advantage of the victories of our fleets, they have replied, What, treat now, when we are so near the object of the war? Will you sully the glories of your navy? But Bonaparte, who gained not a victory without making a proposal of peace, did not think that the glories of Marengo or Hohenlinden were in danger of fading, (in truth, it makes them shine with additional splendour) from the constant proffers of pacification made by him who never won a laurel without

showing the olive at the same time. We, on this side the house have been taunted with unnerving the people, and undervaluing their resources, at the several epochs when, truly describing the country, we urged the other side to peace. I am no advocate for despondency,—and should be the last person in the world to countenance a sentiment of despair in either government or nation: but I am sure that the true road to ruin, for either, would be to shut their eyes to the reality of their danger. How stands that point with the rival government? Did Bonaparte blink at the difficulties of France? It is possible that, with a view to enhance his own renown, he may have magnified, but it is quite certain that he did not understate, its distresses of any sort. Far from it. He exhibited to his country a strong picture of national misery; and to rouse the energies of France to those extraordinary atchievements which immortalize the short campaigns of the last year, his proclamation was—what? The answer of gentlemen over against me to his entreaties for peace. Not all his conquests—not all his fame—so effectually recruited the thinned phalanxes of the French armies as that solemn appeal to the good sense of France, that stimulus to revolutionary ardour, and to the proud passion of national independence,—the ever notable reply of lord Grenville to M. Talleyrand. Marengo and Hohenlinden grew out of that famous paper.—When, in the correspondence with M. Otto, a naval armistice was refused (rightly refused perhaps, and perhaps reasonably demanded in the triumphant situation of France—I am not entering into that question,) as the condition to joint negotiation with Austria, M. Otto says, that the first consul, though he will admit no English minister to Luneville, is ready and willing to enter into a separate treaty with this country. The honourable gentleman evades this proposal by pleading good faith to an ally, which ally deprecates his pretended and pernicious fidelity. The honourable gentleman rejects the only terms on which he could reasonably hope to

serve the emperor, and exacts the strict fulfilment of the emperor's engagement, not to make a separate peace before a given time. Unwarned by Marengo and Hohenlinden,—untaught by the skill and perfection with which that vast line of operations, extending from Nice to Mentz, had been conducted in the fatal experiment of the preceding summer,—the honourable gentleman stands upon the due and forfeit of his treaty; and, as if the letter of this treaty, the wealth of England, and every other instigation by which he could goad on this devoted prince had not been sufficient, he tells this house and the world, that, as a spectator, even as a spectator, he would advise the emperor to go on; selecting this word, as if his evil genius prompted it, for the purpose of illustrating the difference between eloquence and wisdom. Now mark what followed. All the slaughter that deluged the earth, from the Mincio to the Meine, a succession of constant victories, day after day, till even Hohenlinden itself is surpassed by the convention, or rather the capitulation of Steyr; and the head of the house of Austria owing his crown to the clemency, the forbearance, and magnanimity of that person, with whom those over against me have so often said it would be atrocious and foolish to negotiate. The honourable gentleman's silence, as a spectator, having had a full trial, a separate peace is signed at Luneville, and the two hundred and fifty millions sterling, and the hundreds of thousands of British lives sacrificed, in order to overthrow the republican government, and abase the power of France, all terminate in a treaty which regulates and decides the destinies of the other great powers of Europe, without this country being so much as named in it. All this waste of wealth, of human life, and national honour, finish in the peace of Luneville, in which Great Britain is less thought of and regarded, than the poorest, pettiest prince in the whole empire of Germany. All this passes without a murmur; and the country, with a sottish stupidity, sees that, like every

other opportunity for restoring peace, go by in silence and stupor. Can all this be chance ?—what ! mere chance —that every, every reasonable moment should be lost, and every succeeding epoch for restoring the country to peace, should bring with it new and augmented disadvantages, growing in exact proportion to the duration of the war ! You refused peace at Paris, at Lisle, and twice in 1800. Then give us better terms now, or answer to your country for throwing those away which you might have then had. Is the loss, for ever, of all these opportunities, nothing but mistakes—mere venial errors ?—Sir, they are high crimes against the well-being of this country ; and we state them as such. We state them not upon assertion, but fact ; grant us the inquiry this motion asks for, and we shall prove them. All his dexterity is employed to show this house that it will be giving itself, as it were, a slap on the face, if it adopt this motion ; and he makes to his friends a most pathetic appeal, upon grounds purely personal. Conscious that inquiry will ruin him, he urges the pride, the consistency, the feeling of the house, to reject my honourable friend's motion ; and he warns his noble relation (Lord Temple) to spare his compliments, if he withhold his vote —Inquiring into his conduct, he avows, is the worst service his friends can render him. Sir, undoubtedly this is, so far, the truth, that a fair and honest inquisition would be his overthrow ; and his conduct this night is a perfect comment upon his life. But is it thus with men who dread not investigation ?*

* This speech, of which a part only is here given, contains undoubtedly some of the finest and keenest ridicule, that ever was uttered.

EARL OF FIFE.

On Lord Darnley's Motion for an Inquiry into the State of the Nation.

He thought the only way to judge of the conduct of ministers was by comparing it with reference to the humble line of life in which he moved. If men, continued his lordship, who had the management of my affairs had run me in debt, loaded my tenants with heavy burdens which they could never pay, involved me in contests at law with every neighbour—and, in this situation, the person who directed the rest comes to tell me that he will leave my service, but first means to start a question which will raise disputes amongst my tenants; that he had however left several of his fellow-servants who would support his measures, and to whom he would still give his advice—in such a dilemma I should directly send, and desire them to hold no communication with that gentleman, whom I should order never to approach my house. Whatever is wise and prudent in private life must be so in public. Far advanced in life, I can have no object in troubling your lordships, but a sense of duty; never shall my voice be heard in a scramble for place and power. From my local situation I have more opportunity of witnessing the unfortunate state of many individuals than most people. I shall give but one instance: Some time before I left the country, a poor man brought a paper to me, left him by the surveyor of taxes: he has about two acres of ground, and a ferry boat: his rent is about forty shillings: he has one horse, one dog, and a house with two windows eighteen inches square:

he joins with a neighbour in the same situation for ploughing their small farm. They charged this man six shillings for his horse, four for his dog, and half-a-crown for his house. He has nothing but his wife and children untaxed. Judge from this what many feel! Long and eloquent speeches have done much mischief. If they could have guarded our shores, and manned our fleets, England would never flourish more than now!*

MR. HORNE TOOKE.

I shall only say of the following speech, that it is worthy of the celebrated man by whom it was delivered.

On Earl Temple's Motion for an Enquiry into the Eligibility of John Horne Tooke, Esq. (being a person in holy orders) to a Seat in the House of Commons.

As no other person, sir, seems inclined to address you, I shall take upon me to trouble the house for a few minutes; yet I rise on this occasion with the greatest reluctance. In the course of a long and not an idle life, I have been engaged in many important struggles; but scarcely ever was I individually concerned. I fought with the enemies of law, of liberty, and of truth. It was of importance for me to succeed, but my failure was not of more consequence to myself than to the rest of mankind. The subjects in dispute were common as the elements of air and water. Now I am engaged in a personal struggle. This, however, is not exactly the first time that I have been in this unpleasant predicament. I have had to do before with persons of a

* This speech is of a century and a half ago.

similar disposition, and the same things have happened to me. Having studied the appointed number of years at the university, and performed the appointed exercises, I aspired to the honour of the degree of master of arts. I believe, sir, that this is an honour that never before was disputed to any one who solicited it. Indeed, sir, I have no doubt that it would to-morrow be conferred upon a great dog, if he could pay the fees, and call out—*Pro Domino Rege*—yet this was denied to me. For this favour I was indebted to a forerunner of the noble lord's, (lord Mountford) of whom I shall not now say any thing—*De mortuis nihil*—sir, I can go no farther. The next struggle of this kind I had, was when I offered myself as candidate to be called to the bar. I then followed the advice of the first lawyer, perhaps, that this country ever produced—I mean the late lord Ashburton. I was not foolish enough to give up a situation which I then held, the profits of which were sufficient for my moderate desires. I had been a member of an inn of court from the year fifty-six, and I thought myself not unqualified to exercise the profession of the law. I might thus have bettered my situation; but I would not, upon speculation, give up what I securely enjoyed. It was well that I did not. A noble marquis, whose name I shall not mention, but who is now a member of this house, interfered, and his influence being great, my application was rejected—However—

[Mr. Simeon here rose to speak to order; but there was a loud cry from every corner of the house, of No, no, no! Go on, go on, go on! Mr. S. sitting down,

Mr. Speaker said, that he did not exactly see how this was pertinent, but it was yet impossible to say that it might not be made to bear upon the question.

Mr. Simeon assured the house, that his only motive for rising was, that he was afraid the honourable gentleman was about to cast a discredit upon a respectable profession, to which he had the honour to belong.]

Mr. Horne Tooke then continued.—I hope the

house, sir, will yet be satisfied that what I have been saying is not irrelevant to the question now before you. Why was I thus refused? Was there any law against me? None! Some precedent, then? None! Some arguments were offered to prove my incapacity? Not one! I was rejected, and the first that was ever rejected on similar grounds. To shew that I am not altogether impertinent, the benches, having on their side no law, no precedent, no reason, were so doubtful as to the propriety of their conduct, that they sent messengers to consult with the heads of the other inns of court.

This learned body, therefore, were not certain that, though in orders, I was ineligible, or that, though in orders, I might not have laid them aside. I am sorry that the late chancellor of the exchequer is not in his place. He is well acquainted with these proceedings; and I am mistaken if they have not made a pretty deep impression upon him. What I have said, sir, likewise shews how I have been treated in former times, and tends, in some measure, to account for the laudable zeal manifested by the noble lord on the present occasion. I would beg the house to recollect, sir, how I have been used in this business. Positively, a stranger would imagine that I had been guilty of felony, or some infamous crime. I have been told to stand up and shew myself. My eyes, indeed, sir, are now very weak; but I am very much mistaken if the noble lord is such a terrible looking man that I should have been afraid to look him in the face without this admonition. Have I ever shewed any symptoms of cowardice? No, sir, I have ever remained intrepid in every station, and the noble lord might have saved himself this trouble. I was next ordered to attend in my seat—when the day of my trial came on, it was meant, no doubt. Suppose I am in priest's orders, sir, is this a public delinquincy? Ought I on this account to be declared infamous? I should rather think, sir, that being in orders argued some degree of learning, religion, and good character. Sir, were it not

for my anxiety for the constitution, and the rights of the people, I certainly should now be silent. It is no fiction, that this seat is absolutely a burden and an expence to me. No one advantage do I derive from it. I want not for the privileges of parliament, sir; I have no debts, sir; I never had any, and never shall. My spirit is much too independent to allow me to contract for what I cannot pay, or to owe any one when I have money to pay him. The noble lord expresses great zeal for the purity and independence of this house. These are fine sounding words; but neither of them will suffer from my being a member of it, while I am not sure that they do not suffer from the royal patronage, the effects of which so terrify the noble lord in this instance. There have been gentlemen, not in holy orders, who held livings in the church, and continued members of this house. Sir Richard Wrottesley, for one, held several valuable benefices. Of this I am certain, that many that now hear me would be glad to go into orders for 1500l. or 2000l. a year, if, indeed, they had the fair moral character which I enjoyed when I first entered the church, and the small pittance of learning necessary to qualify any one for ordination.

I shall not trouble the house much either with law or divinity. All must allow that there is often a great deal of cant about both. Having for many years had neither profession nor employment, I have had nothing to do, but to follow the bent of my inclinations, and to improve my mind. I have thus read much divinity, and with law subjects have been conversant near half a century.

Had I not continually exercised my judgment, the greater part of the books on these subjects would have turned my brain. This effect they certainly have had upon many who have not used the same precaution. I know the advantage which I might derive from perplexing the understanding, by recurring to abstruse reasoning and legal quibbles. But I wave it all. I shall speak nothing but common sense, and what may be understood

by any one, however slender his acquirements. The natural way of debating this question would be, to consider, first, the arguments from reason for and against the eligibility of a person in holy orders; next, the law upon the subject; and lastly, usage and customs, which, when they are not contrary to reason or law, are more binding than either. To save the time of the house, however, I shall take these a little out of their order, and begin with precedent. My poor constituents are left entire to me, and I must do my utmost to support their interests. The report proceeds on the supposition that I am in orders. I admit certainly, that I held the living of Brentford forty years ago. But, in speaking of this report, the question naturally arises, whose it is? I find that the gentlemen on the committee ordered search to be made. If there is one principle incontestible, it is this: that no one can delegate delegated power. However great abilities have been displayed in drawing out this report, (and I mention this that those may have the merit of it who actually drew it out,) the reporter has given us a morsel of old English, which afforded me no small amusement. It was written no further back than in the time of Henry VI; and though there are but twenty-one lines in all, the characters have been mistaken eleven times. Lest he should be directed to make a second search of this kind, I would inform him, that the letter he has mistaken so often for a *y* is the Saxon *theta*; and that instead of *yis*, *yat*, and *yese*, sounds not to be found in the English language at any period of our history, he should have wrote *this*, *that*, and *these*. Of the real saxon *y* he is ignorant, and, by mistaking it for *z*, he has committed several blunders, not less ridiculous.

It is said in the report, that every thing is inserted, to be found in the journals, at all bearing upon the question. Sir, this is not the case. Many facts directly in point have been overlooked; no one would learn from this report, but upon searching the journals, he will

fine, that all those who were declared ineligible by the house, actually continued to sit till they were disqualified by an act of parliament. It had been declared, that minors, aliens, &c. were incapable to sit in the house of commons; yet till the reign of king William they both occasionally sat. It has often been resolved, that the eldest sons of peers, mayors of corporations, and other classes, are ineligible, individuals of which now compose this house. No express act of parliament was ever made to exclude them. Though I should think it unjust to disable a man for actions committed before the act, yet if an act be fairly brought in to declare ineligible all who have been in orders, I shall not oppose it. It is indeed rather cruel in the noble lord thus to tantalize me. Had I not heard his most pious, religious, and learned speech, I should not have been so sensible of the immensity of the loss I am about to sustain. When he knew my situation, he might have been a little less lavish in eloquence. The legislature, sir, has not been sparing of disqualifying acts. In 1705, an act was passed, declaring ineligible all officers of customs and excise, distributers of wine licences, the commissioners of sick and wounded, and various others; but an act to disqualify those who have once exercised the functions of a clergyman, never has been proposed. As, therefore, my constituents had an undoubted right to elect me, I reckon myself bound to struggle as hard to preserve my seat, as if I were personally anxious to preserve it. To disqualify the beneficed clergy to sit in this house, would certainly tend much to preserve its purity.

The measure would be a highly proper one, and should have my warmest support. It might indeed be urged, that there are already not a few among us much more dependent upon the crown than any of the clergy, beneficed or unbeneficed. Of such an argument I shall not avail myself. Because things are bad, it surely is no reason why they should not be prevented from growing worse. I beg to be understood as not defending

my seat upon the same grounds that the clergy in general might advance. There is surely a great difference between one still exercising clerical functions, and one who has not exercised them for many years, and never means to exercise them more. Lord Coke and Mr. Justice Blackstone have been quoted; but there are other authorities, which should not have been forgotten. I have within these few days, read four or five writers upon the subject, of the greatest celebrity, (among them is lord Bacon,) who think exactly as I do. It has been remarked, that legal gentlemen are in general very unfortunate upon points of parliamentary law; but I must remind the house, that Mr. Hatsell, whose knowledge upon the subject was universally allowed to be unrivalled, is exactly of the same opinion. An honourable member of this house, I believe, who a few minutes ago called me to order, (Mr. Simeon) has written a book, in which he asserts that there are several resolutions of the house of commons, declaring the ineligibility of persons in holy orders to sit in the house. That honourable gentleman, I believe, was also a member of the committee by whom the report was drawn up; but it is unfortunate for him, and the credit of his book, that in that committee he could not find any of those resolutions which he says in his book do exist. To come to the precedents stated in the report of the committee, of which so much has been said, they are but three in number, and all of them took place before the convocation ceased to tax the clergy. They are therefore to be considered as of little weight. "In 1624 it was enacted that no parson or vicar should have a voice in the election of the knight of the shire. While this law was in force, certainly they had not the shadow of a claim to sit in parliament. To elect representatives, and to represent electors, are two privileges which are inseparable. To allow the one and withhold the other, is contrary to the plainest dictates of common sense and right reason. But since that period the right of the

clergy to vote at elections has been fully recognized, and by the 18th of George II. it has been confirmed to them. Now, therefore, they have a right to represent their fellow-citizens. Lord Coke has been mentioned triumphantly. Perhaps I may be able to shew that his sentiments were not exactly such as they have been represented. The noble lord has made me pay very dear for my seat, by the trouble it cost me to prove my right to it. [Mr. Tooke was searching among a bundle of papers for a letter, which he immediately made use of.] Among the archives of the university of Cambridge, I have found a letter, in sir Edward Coke's own hand. It was written to the university immediately after the privilege of sending a representative to parliament was allowed to that learned body. [The honourable gentleman then read the letter, in which the university is strongly advised not at first to make choice of any one who was a member of the convocation, as some dispute might arise; but rather to fix at this election upon some doctor of the civil law, or other grave and learned layman.] You see here, sir, that this great oracle of the law makes a distinction between eligibility, and the policy of electing. He probably meant, that after they were fairly seised of the right of choosing a representative, they might afterwards choose whom they would, whether he were a clergyman or a layman. The honourable gentleman laughs, sir; he would do better to consider what he is going to say. I long to hear his opinion, and that of the other law officers of the crown. If they satisfy my doubts, I shall be grateful to them. If they think to put me out of countenance by tricks, they will find themselves egregiously disappointed. I shall now omit the greater part of what it was my intention to offer to the house. Gentlemen would do well to consider the importance of the question now before them. It is indeed of great magnitude; and, as there are few who may not be interested in it remotely, they ought to lay out of their consideration the circum-

stances of this individual case, and come to a decision upon liberal and comprehensive views. I shall suppose that the youngest son of a great family gets a living of 1000l. a year, and takes orders; and that soon after, by the death of his elder brother, an estate of 80,000l. a-year devolves to him;—will any one say, that this case may not happen? Will any one say, that, if it should, this young man would be refused a seat in this house?—Pray what does my having been in orders prove, but that forty-one years ago I was a young man of a fair character? We no longer live in times of popery. A man is not now all his life influenced by the prejudice that he imbibed from his nurse or his mamma.

What are holy orders, sir? What change is operated upon a man when he receives them? Does ordination instantaneously change the human form, or the human faculties? I was not sensible of any transformation of this kind, nor am I now sensible of differing from other men. The Roman Catholics reckon seven sacraments, and ordination as one of these. At the reformation, ordination was declared to be merely a ceremony. Will any one then say that a ceremony works such an alteration in a man as to disqualify him for the office of a legislator for ever? Between the popish priests and the protestants there is a great difference: the former are enjoined perpetual celibacy; ours are allowed to marry, and upon trial, are declared by the best judges ably to perform all the duties of a husband. Shall it then be said, sir, that he who can govern a wife is unfit to assist in the government of a kingdom? I have been told, that I have a voice in the convocation. It is above forty years since I took orders, and I never once was summoned to the convocation, spoke in it, or gave a vote in it. Clergymen are ineligible as they have the care of souls. Sir, I have no soul to take care of but my own. They ought to stay at home and exercise the duties of hospitality. I have no residence, and no funds given me for this purpose. Nor have I

any spiritual functions to exercise, however necessary it may be for others to be absent on this account. I, sir, have now a particular claim upon the house.

I have suffered all the disadvantages of eligibility. I formerly presented a petition to this house, which, as it could not be got rid of, cost me much trouble, and no small expence. I was under apprehension of still severer punishments. But had the noble lord then been a member of the house, how easy would have been the process! "The reverend gentleman is ineligible, therefore let his petition be rejected." But not a word of my ineligibility was then whispered; and now, when a respectable body of constituents come to an unanimous resolution (a loud laugh) to do me the honour to elect me their representative, it is instantly discovered that I am disqualified to sit. Were I a Jew, sir, a Jesuit, a Mahometan, a Pagan, a Presbyterian, a Quaker, there could not be the least objection to me. In spreading the doctrines and administering the rites of these various religious sects, there is nothing corrupting; but connection with the established church, it seems, leaves a foul and indelible stain. Sir, there is something in this a little too hard of digestion. In Roman Catholic countries there is nothing more easy than for a priest to lay down his orders, and the pope dispenses with his vow. In England every man is a pope to himself. He confesses to himself, and from himself he receives absolution. He ought, of course, to be able to become a layman, as soon as he changes his views. The noble lord has declared his chief object to be, to make the line broader and better marked, which separates the clergy from the laity. The noble lord's views in this may be very enlightened, but I would remind the noble lord, and the house, that it was the policy of our reformed ancestors to narrow and deface this line of distinction as much as possible. They, foolishly perhaps, thought that the interest of all orders should be made the same; and that a fellow-

feeling and mutual confidence should, if possible, be universally excited.

The door, however, is not absolutely barred against me. There is an unfortunate clergyman who has lately been guilty of adultery, and the cry has been loud that he should be deposed. Were he really deposed, sir, I suppose there can be no doubt, that being no longer in orders, he would be eligible to a seat in this house? To say that an adulterer is disqualified to be a member of parliament, might be productive of consequences somewhat serious. It is maintained, that though a clergyman is excommunicated—his character remains sacred. He goes to the devil, but he no more becomes one of the profane laity. By the bye, it is not easy to say what using a man's self as a layman may mean, or rather what it may not mean. In the year 1764, the present archbishop of Canterbury dined in my house; he was then a private tutor. What do you call this, sir,—is it part of the functions of a clergyman? But if gentlemen had consulted the seventy-second canon, they would find, that if a clergyman shall pretend to exorcise any one, if he shall not keep the fasts, if he shall preach in the fields, and if he shall do, and if he shall not do, various other things, he shall, for the first offence, be suspended, for the second excommunicated, and for the third deposed. Had I then attempted to exorcise myself or others, or had I followed the example of some of the advocates of vital christianity, I should have been deposed long ago, and should now be allowed quietly to take my seat. But because, like a good subject, I chose to withdraw without stating my reasons, and thus exciting scandal, I am for ever ineligible. What if I had been tainted with infidelity, and tried to make proselytes? I should then be as competent to sit here as any member present. This reminds me of an occurrence which took place in this city a few years ago. A poor girl, in very indigent circumstances, and

quite destitute, went to a director of the Magdalen Hospital, and applied to be taken in: "Why, (said he) —'tis true, there is now a vacancy, and I have no objection to admit you; but first let me hear something of your history. Who seduced you? Where have you lived since? "Seduced me, sir! (exclaimed the girl) I am as innocent as the child unborn. I may be poor, your honour, but I'm very honest!" "You won't do for us, then (replied the governor.) If you wish admittance here, you must go and qualify yourself by prostitution."* That innocence should be in any case a disqualification!!! How would a person in orders be treated on board a ship, if in the time of danger he would not work at the pump to save the vessel from sinking, or handle a bucket when the fire was making its way to the powder-room? Yet he would be using himself as a layman if he were to do either. There are three professions in which the public are more particularly interested, and the entrance to all of them is guarded by peculiar restraints. When a man's life or his health is in danger, he applies to a physician; when his civil rights are at stake, he consults a lawyer; and in things that concern a future state, he trusts the divine. Therefore no one is allowed to exercise these professions till he has undergone an examination, and been found properly qualified. When an admission takes place, however, there is a great difference between them, though that difference is not generally known. The lawyer and the physician can all their lives after take fees from whom they please: but he in holy orders has still no authority of his own. To exercise the functions of the ministry, he must have preferment, or the licence of the bishop; and the moment he is deprived of these he ceases to be a priest. Dr. Walker defended the town of Londonderry when the military had fled, and thus prevent-

* "A man of honour has no ticket of admission at St. James's. They receive him like a virgin at the Magdalen's;—*Go thou and do likewise.*" JUNIUS.

ed it from falling into the hands of James II. King William was so highly pleased with his gallantry, and felt so grateful for his services that he wished to make him a bishop. But, no—the bishops interfered; a man stained with blood, they said, was unfit to officiate in that sacred character. King William, however, gave him a regiment, and he died in Flanders fighting bravely by his side. He made as good a colonel as if he had never entered the church. It was not long since, sir, that a gentleman sat in this house, who was then a colonel of militia, and who had formerly been in orders. [Mr. Tooke mentioned several peers who were in orders, and had sat in the upper house. He likewise observed, that the bishop of Lincoln had been secretary to Mr. Pitt, and the bishop of Meath secretary to the duke of Portland.] There were clergymen, volunteers, justices of the peace, and mayors of corporations. The reverend Mr. Frohair had been made a peer, and sat in spite of the bishops. In the year 1759, Mr. Borden was a member of that house, who was well known to hold livings at Madras. (He himself had bought one of them for a friend.) Mr. Borden, after filling various offices, finished his career as a commissioner of the victualing-office, which (said Mr. T.) I trust I shall not. Though I wish earnestly to be out of the house, I feel it my duty to strive to continue in it as long as I can: and I am happy to think that I am prepared to meet opposition in whatever way it may present itself. I wish the house to proceed legally. I wish that an act of parliament should be passed, founded on the broad basis of general justice. Let the house save its character as much as possible, and try to preserve the confidence of the public. I sit down, sir, in the full confidence that individual spleen will not be gratified; and that I shall not be punished for doing that which the noble lord, had he not the monopoly of the exchequer, would probably be glad to do himself.

MR. WINDHAM.

On the Address to his Majesty, respecting the Definitive Treaty.

He took a view of the prominent parts of the definitive treaty. The first on which he touched was Malta; he enumerated the advantages which the stipulation of neutrality would confer on the French, who, including their allies, might have eighteen ships of the line in a neutral port, whilst we were restricted to six. To talk of the different langues was futile; the garrisons must, in fact, be French—the whole French. The little order of Malta, which contained in itself the great characteristic and distinctive qualities which the French revolution had subverted, was now destroyed; the little phial which contained the essence of the old principles had been diluted by ministers, not even with common water, but with water from the puddle; the German knights had already refused to serve in a body so degraded and debased; the Neapolitan soldiers would form no security for the independence of the island; the state of Malta was a virtual surrender, and our position in the Mediterranean untenable. The Cape of Good Hope was ceded in full sovereignty to the Dutch, who were thus at liberty to resign it to France. It had been said, that the Cape was but a tavern; and surely a tavern, in the middle of a voyage, was no unimportant accommodation; without it the troops destined for the East-India service must arrive in that country in a state which would unfit them for active exertion. No other resting port was open to us, except the Brazils; and who was to ensure us constant access there in a season of hostilities? Our Indian empire was, Mr. Windham ob-

served, our sheet anchor, and whatever was necessary to its preservation was of the last importance. The disadvantages on our side, Mr. Windham contrasted with the advantages in favour of France. By the restituation of Cochin to the Dutch, they had acquired the means of annoying our possessions in the East-Indies. In defining the boundaries of French and Portuguese Guiana, ministers appeared to have been puzzled with the Colapanatuba and Arowari, and that the Arowari was the limit assigned. There was, in fact, little difference between the treaty of Madrid and that of Badajos. France had obtained her object, the navigation of the river of Amazons, and the Portuguese settlements were left exposed to the foe. Mr. Windham deplored the cession of Louisiana to France, which, considering the indefinite extent of Guiana, was a surrender of a fourth part of the globe; two rivers, the greatest rivers in the world, the Mississippi in the north, the river of Amazons in the south of America. Rivers were the vital parts of countries; without hyperbole, we might be said to have given away a brace of continents. In aggravation of this thoughtless prodigality, ministers had abandoned the whole continent of Europe to France; they had let in a tide which spread like a torrent in every direction, endangered our safety at Honduras, and menaced our destruction in India. He contended, from the fact admitted the preceding night by Mr. Dundas, relative to the non-renewal of treaties, that our Indian dominions were insecure; from that honourable gentleman's arguments, it should seem that the convention of 1787, founded on the treaties of 1783 and 1763, was an excrescence: the extirpation of which was to remove the ambition of France, and confirm the power of England. We were told that the abrogation of the treaty was a ratification of it; we were assured, that our cause was just, as if the adversary was to proceed on no other principle but justice, or as if the cause was to be tried by the house of commons: the ques-

tion was not, whether our cause was just, but whether the enemy would allow it to be such. The honourable gentleman (like another Ajax) came forth in all his might, but unluckily raised against his poor unresisting friend here, the powerful arm which should have dealt death-blows among the foe. The honourable gentleman had talked of our prowess, and braved all who might dare invade or resist it in India; but was he not aware that the battle might be fought on this side the Atlantic, whilst the object in dispute lay beyond the Ganges? Did he not perceive that the French might deem us weak in one country, and strong in another? Had they not already, by a close squeeze in Europe, made us vomit up what we had gorged elsewhere? We already knew the French too well to doubt that they would scruple what means they used to accomplish their ends: had they not fraudulently obtained the restitution of Porto Farrajo to the king of Etruria, to secure it to themselves? Regardless of stipulations and treaties, they had seized on the Elba, and to bestow a compensation on the king of Etruria, extorted Piombino from Naples. Mr. Windham proceeded to delineate the colossal power of France, which resembled nothing that had existed since Rome. The French were a new race of Romans; in ten years they had even acquired more than the Romans atchieved in fifty-three. On the map of Europe, two nations only stood erect; and of these, the one from distance more than strength. Austria was indeed still rich in resources, but destitute of foreign aid. There was no single power which could enter the lists with France: in the first conflict it would be nearly crushed by her tremendous mace. But Mr. Windham added, it was by some supposed, that though Europe should be wrecked, we, at least, might take to our boat and escape. By the sceptre of French powers, we should still be pursued: in Asia, in America, it would follow close, scaring us with its Gorgon aspect. Mr. Windham here enumerated the islands ceded to France in the West-

Indies; he maintained that the establishment of the blacks in St. Domingo would be less formidable to this country than its subjection to France. Admitting that some black emissaries had reached our islands; to private interests, such an event might have been more prejudicial, but to political interests less fatal. To the West-India proprietors it might appear, that by the ascendency of negro power their property must be lost, whilst by that of France it could only be diminished. In England the injury was the same: the possession of St. Domingo by the French was pregnant with mischief, and would eventually sap the foundation of our Transatlantic empire. Mr. Windham repeated, that we had given away two continents. It was obvious that the object of France was universal empire. He proceeded to consider what resources England still possessed, and what means she should pursue to avert the impending danger. He contended that this country had reposed supinely with blind confidence and security. At the commencement of the French revolution, when other nations were melting away, it was pretended that we were inaccessible, and that the menstruum which dissolved the baser metals, would pass innoxious over the pure gold of the British constitution. The year 1792 had demonstrated that this pure gold was as susceptible of the rage of jacobinism, as copper of the corrosion of *aqua fortis*; still, continued Mr. Windham, a strange indifference prevailed; snug was the word: we were for letting other nations shift as they could; the high spirit of our ancestors was extinct, their maxims forgotten. Mr. Windham here entered on a retrospect of the war: he affirmed, that with the exception of the expedition to Toulon, and the melancholy affair at Quiberon, little had been attempted and less effected upon what he conceived to be its peculiar and appropriate principle. Mr. Windham was here called to order by Mr. Pitt, who objected to some of his observations as improper in one who had formerly possessed his majesty's

confidence. Mr. Windham replied, that he was about to state, that he considered the expedition to Quiberon as a measure of his own. Mr. Pitt still resisted the disclosure of any consultations or opinions which must have been expressed in official confidence. Mr. Windham resumed; he insisted, that the country had never been well aware why it was at war. It had been said by Mr. Pitt, that we were at war, because we could not be at peace; at sea, because we could not be on shore; yet the character of the war itself, the grand monitor, was wanting; the force was centrifugal, it never converged enough towards the focus from which the danger proceeded; people were not taught to see that we were at war because the French government was such as to preclude peace. The same error, Mr. Windham said continued. No person who considered the causes of the war, could have looked without alarm at the terms of the peace: the country was not sufficiently impressed with the dangers of the peace, because it had never been sufficiently alive to the character of the war. From its very commencement, the war had been carried on with an incessant cry for peace; incessantly was the justice of our cause arraigned, and that of the enemy vindicated; the most splendid victories were coldly received, and the most brilliant successes depreciated. Mr. Windham said, he would compare our exertions in the war with its object; if the war was neither just nor necessary, every shilling spent on it was too much: if it was merely a war of experiment, we had made too costly sacrifices; if it was a war for the very existence of the country, our exertions had been too little for either our object or our means. That our strength was unimpaired by them was apparant; the country had not grown lean by them. It had been urged in the true spirit of jacobinism, that though individuals might be rich, the nation was poor; poverty was a sort of secretion from the plethoric habit of wealth, and must ever be concomitant with great affluence; in the fluctuations of trade and manu-

factures, numbers must be occasionally deprived of employment; the tide of prosperity would rise in one place, and fall in another. It was absurd to say that our wealth was in the hands of few; it was impossible that a country should have much wealth, which was monopolized by a small proportion of its inhabitants. Unhappily it was believed by some, who denied not the pre-eminence of wealth and comfort which this country enjoyed, that these blessings might be preserved without the aid of arms. We were exhorted to rest contented with our commerce and prosperity, without knowing whether the French would permit us to retain them. Just as a king of England once asked, why his subjects, who were dying with famine, would not eat bread and cheese? when, alas! they could not get bread and cheese to eat. Mr. Windham recapitulated the indignities to which this country had submitted from France. Had she not plucked the cockades from our soldier's hats in Portugal, and prevailed on us to concede to Holland the honours of the flag? Had not the French government, without communication, annexed to itself the Cisalpine republic, leaving the British ambassador to kick his heels in an antichamber at Amiens? From these considerations Mr. Windham expressed his conviction, that on the 30th September, previous to the signing of the preliminaries, the fee simple of England was worth more than it would be for many years. He was, however, not disposed to think that he should swerve from the peace; the bond was signed, and we were bound to adhere to it; but, though it be impossible to renew the war with advantage or honour, it was necessary to consolidate the peace, by removing all grounds of dispute and dissention: if the French cherished no hostile views, it would be wise to anticipate all grounds of difference. Mr. Windham concluded with observing, that the predictions of evil from the loss of America were already in part fulfilled; and that the predictions of evil from the aggrandizement of France, if not immediately, must

eventually be verified. He proposed an address, in substance similar to that moved by lord Grenville in the house of lords.

MR. SHERIDAN.

On the Definitive Treaty.

Sir,

At this late hour (about two o'clock) it is with extreme reluctance I rise to address the house, and to trespass upon your time and patience. I shall not be singular to-night in the professions I make you of avoiding details; but, sir, in one respect my conduct will be different from that of any other gentleman who has addressed you.—I will keep my word. If I feel repugnance to rise at so late an hour, I feel equally strange with respect to the unpopularity which I fear I must experience. It is natural to every person to have pleasure in voting in a majority, though to that pleasure, I believe I have been long a stranger. Among the strange things we are continually witnessing, is the strange division of parties at present in this house. Sir, I have heard it said, that there are about twelve or thirteen different parties among us; nay, some carry the number much farther. Now I scarcely expect a single vote with me beyond that little circle of a constitutional party, who have for the last ten years been the objects of so much unqualified abuse; but those men who have so often been held up to public opprobrium, are the very same men whose every prediction has been fulfilled, and every fear realized. The discussion of this necessary, but disgraceful treaty of peace, to-night,

is a confirmation of the propriety of their political conduct during the whole course of the war. My friends must feel poignant shame and deep humiliation at the situation to which by these terms this country is reduced, but which they have laboured steadily to avert. Those who oppose this peace have been arraigned by the last speaker, as aiming at a censure on the issue of the negotiations, and on the ministers themselves. And certainly, sir, their object is to condemn the peace, and to cast a slur on the abilities of his majesty's ministers. But, in this conduct of theirs, they have at least the merit of being consistent. I support the peace, because I feel confident no better terms, considering all circumstances, could be got. Their predecessors had taken care of that. They had left them no choice, but between an expensive, bloody, and fruitless war, and a perilous and hollow peace.

They have chosen the best of the alternatives. Now, says the minister, they who oppose me depress the country. I thank these *new* oppositionists for their manly firmness in coming forward and opposing, upon their own principles, this degrading treaty. Let the people of this country be fully aware of all the circumstances of the peace. *They* have done their duty, then, in thus publicly discussing them. But a right hon. gentleman—not here this evening—an ex-minister too—suspects something more. If he has not altered his opinion since the preceding day, he suspects their motives. They, says he, disapprove the treaty, and attack administration, because they wish to drive out ministers, and succeed to their places; and for that purpose they have formed a confederacy. Truly, sir, a heavy charge. But, I must declare, that they never veiled their opinions. Some of them, especially, have been at all times very open, and I conceive that it would be high injustice to suspect them upon slight grounds of a dirty cabal to turn out the present ministers. Says the right hon. gentleman, upon their principles they would never have made

peace. Why so we have always said. It is now therefore confirmed, that a leading part of the late ministry acted upon such principles. But the right honourable gentleman (Mr. Dundas) the preceding day denounced their foul ambition, and their design to *trip* up the *heels* of their *successors!* Another great discovery is made.—These persons' principles were such as rendered a peace *impossible*, and yet the very men who say so, have just been *thanking* them *all*, as the *saviours* of the country! Can the right honourable gentleman account for this inconsistency? I should think not; and yet he looks so confidently, I almost think he could. He thought I was jeering him, as if I did not suppose him a constant supporter of the war, and he assures the house "he was a steady friend to it." But he has now found out that it was necessary to stop. Pray why not have stopped a little sooner? Why not before you were so much exhausted? For instance, when Bonaparte made you an offer? Now, however, he finds the necessity of peace. But is this such a peace as will give us real repose? Consider your debt and taxes, and the necessity which seems to be at length coming upon us of keeping up a peace establishment unknown in this country. It is lamentable to see *you all* split into *miserable parties*, when your *great enemy* is uniting every possible means of extending his power. You are squabbling about the measuring of ribbons and tapes, and the paltry revenues of Malta, when much greater objects are before you. The events of every day seem to call more and more for the expression of that public feeling, that the time will come when French encroachments and oppression will cease, and when the voice of this country must be clearly raised against their atrocious and tyrannical conduct. The right honourable gentleman says "we have preserved our *honour*." Honour depends more on the manner of doing a thing, than on the thing itself. We had a great armament at the time of negotiation, but I don't hear that it carried any point whatever.

This, says he, is a peace in which we relinquish nothing, but gain much. Will any man of common sense undertake to prove that? I defy him to name the single *object*, ever varying, ever shifting, unrelinquished. What did we go to war for? Why, to prevent French aggrandizement. Have we done that? No, Then we are to rescue Holland—Is that accomplished or relinquished? No. Brabant was a *sine qua non*—Is it gained? No. Then come *security* and *indemnity!* Are they obtained? No. The late minister told us, that the example of a *Jacobin* government in Europe, founded on the ruins of the holy altar, and the tomb of a martyred monarch, was a spectacle so dreadful and infectious to christendom, that we could never be safe while it existed, and could do nothing short of our very last effort for its destruction. Now, sir, let us see what we have got. But what have we laid out for all these fine words, which at last gave way to *security* and *indemnity?* Why near 200,000 lives, and 300 millions of money—And we have gotten Ceylon and Trinidad. I should propose, that, as we have given to our heroes titles from the places where their laurels were won, our St. Vincents, Nelsons of the Nile, &c. so we should name Ceylon, *Security Island*, and Trinidad the *Isle of Indemnity*. Now, if we look at the states of Europe, we find the noble lord opposite has a most curious and convenient epithet, which he applies to what is rather a disagreeable object to him (lord Hawkesbury.) He talks of being in an *uncomfortable*—was it?—Oh no—*unsatisfactory state*. Germany, Holland, Italy, they are all in an unsatisfactory state; and so I suppose is Switzerland, which now seems likely to undergo a division among her powerful and generous neighbours. That innocent and virtuous, suffering, venerable country is now, I suppose, in an *unsatisfactory state!* But Great Britain is all this time far from languor. She is in a *satisfactory state!* However, a grave and learned gentleman (master of the rolls,) tells us for our comfort,

that notwithstanding all that has happened, here we are debating and doing business in *all the old forms* and *customs* of the house. Pray now, could not this have happened, supposing we had never gone to war? I think he should have made that out before he congratulated us so warmly upon our present debate under all the *old forms* of the house. The minister, too, goes on according to *old forms:* he has his majorities, according to *custom*. Prussia can go on too, in its old forms. Is this armed repose, this hollow peace, then, the fruit of our long and glorious war? A great deal too has been said to be gained by the disposition of France to lay aside Jacobinism. But the grand consolation of all is, in looking to Bonaparte as the *extirpator of Jacobinism*. The learned gentleman, however, states to this house, that it is the nature of Jacobinism, if driven from any country, always to look with pride and ambition to a settlement in the place where it had birth, and to fix itself there. So now, this "*Child and champion of Jacobinism*," as he was styled, is to become a *parricide*. The *child of sin* is to *destroy his mother*. As this Jacobinism is by the late minister stated to be a vice *never* to be eradicated from the *bosom* where it has *once* been implanted, all Europe will, doubtless, look to this Great Consul for its destruction. Indeed, he seems very desirous of extending his care to his neighbours. Suppose you make him *King of Europe at once*, and he will soon extirpate all the *Jacobinism* that infests it. My alarms begin when the alarms of some persons cease. The great question about the dangers of the French revolution was always upon the degree of the danger to be apprehended. Some danger was always allowed: but to suppose the people of this country so miserably infatuated as to fall in love with dirt and blood, and guillotines, with the atrocious deformities of the system of Robespierre, and that now when France is "covered with glory"—though certainly without liberty, or any thing that much resembles it—there should be no-

thing to dazzle and captivate, is out of my comprehension. If there be in this country men of dangerous ambition, Bonaparte is the man to hold out to them, by his ambitious and successful conduct, an example. An example, how much stronger than any thing that could attract the people in the exhibitions of riot and murder, unsociality and ferocity of manners! But they say—He has begged pardon of God and man by his piety and penitence! No: he has restored bishops with the salaries of curates, and made them all spies and informers in his favour by a solemn oath. He has made his own use of them all. How has he acted in Switzerland? How to us? Why, by condescending to receive our humiliating submission of every thing you had acquired by the prowess of your army and navy. I must trust to our valour to defend us against his armies; and I pray heaven to protect us against the effects of his penitence and piety! I must confess that nothing has been stated against this peace unaccompanied by proofs. I had rather have given Malta to France, and taken the Cape, than have made this absurd arrangement. If the late secretary for the *war* department were here—who is, perhaps, *(looking at Mr. Pitt)* by *proxy*—he might have made a whimsical charge against the present minister. He (Mr. Dundas) said that "the minister who should give up the *Cape would deserve to lose his head!*" There sits the minister, however, with his head safe upon his shoulders. I have almost a mind to attack him on the authority of Mr. Dundas. Malta would be a great acquisition to us, and therein I agree with the war-secretary. It would have stood, with the British standard flying in the centre of the Mediterranean, "like a great sea-mark, saving those that eye it!" Ministers say, the emperor of Russia would not take care of Malta. If they will tell me so *upon their honour*, I won't believe any body that says so. That did not appear to be Paul's idea of it. Perhaps he was mad. There was, however, some *method* in his *madness*;

but sir, there's a message Bonaparte has sent to his Tribunate concerning some Russian soldiers, who are to go and take care of the republic of the seven Islands, and they may probably be intended for Alexandria, and may be connected with some plan against Turkey. Sir, if any thing in the shape of a statesman will say in this house, that he looks at that power, "at which the world turns pale," without apprehension, as the minister seems to tell us to-night, I must say he has a prodigious stock of courage, or no skill at all in politics. But let France have colonies—Oh, yes, let her have a good trade, that she may be afraid of war, says the learned member; that's the way to make him love peace. He has had, to be sure, a sort of military education. He has been abroad, and in rather rough company; but if you put him behind the counter a little, he will mend exceedingly. When I was reading the treaty, I thought of all the names of foreign places, viz. Pondicherry, Chandenagore, Cochin, Martinico, &c.—all cessions?—Not they, they are all so many traps and holes to catch this silly fellow in, and make a merchant of him! I really think the best way, upon this principle, would be this: let the merchants of London open a public subscription, and set him up at once! I hear a great deal respecting a certain statue about to be erected to the right honourable gentleman (Mr. Pitt) now in my eye, at a great expence. Send all that money over to the first consul, and give him what you talk of so much, capital, to begin trade with. I hope the right honourable gentleman over the way will, like the first consul, refuse a statue for the present, and postpone it as a work to posterity. There is no harm, however, in marking out the place. The right honourable gentleman is musing, perhaps on what square or place he will choose for its erection. I recommend the bank of England. Now for the material.—Not gold, no, no! he has not left enough of it. I should however, propose *papier mache*, and old bank notes. Ministers recommend us to make France commercial,

for the sake of peaceful habits; and then tell us how impossible it is for her to increase in trade and commerce, for want of the necessary credit and capital. There my prospect was damped. I was going now to India, but I remembered I promised to avoid detail. I must keep my word. There was some northern logic here last night—something specious—a kind of northern lights—pretty enough to look at, but not very useful,—about our possessions having better security in India without, than with our enemy's recognition of our rights. This, I confess, I cannot understand. The right hon. gentleman asks, whether they would have been justified in breaking off the treaty? That's a question between him and those who like the preliminaries; but it is otherwise with those who like neither. The secretary at war, (Mr. Yorke) has said, Bonaparte will look at us "with a soldier's eye." I think he will with that of a statesman. Now the city militia, and some other corps, are disbanded, it is not exactly a spectacle for a soldier's eye. One cannot walk along the streets without hearing doubts expressed of the nature and security of the peace. And the next great question is, "Pray, who is minister now?" Is there, then, an interior and exterior prime minister?—one who appears to the world, and another secret, irresponsible, directing minister? Certainly, in several respects I have given my testimony in behalf of the present ministers. In nothing more than for making the best peace, perhaps, they could, after their predecessors had left them in such a deplorable situation. But the present ministers continue to identify themselves with the former. They have ministerially supported a refusal to inquire into the state of the country; just as they were about to take the government, they have passed an indemnity bill, and since that, a security bill in a resolution of thanks: and these are the only indemnity and security required! The ex-ministers are quite separate and distinct, and yet they and the new ministers are all honourable friends! What is the meaning

of this mysterious connection? Why does not the minister defend his peace on the only good grounds of defence? Does he hold that situation only to make peace, and leave it for his predecessor? Do they bargain for support, on one side of talent, and on the other of power? No minister of this country ever condescended to act under such equivocal support. Part of the case is clear. If the late minister attacks the treaty, the present would turn round and say—"You brought me into a situation of necessity—You compelled me to sign a disgraceful treaty—You had been arrogant, and I have put up with indignity.—Bonaparte, by his minister, Otto, would laugh at me!—This work is yours—You placed us in this dilemma." The minister takes no strong ground of defence: I won't say he dares not take it. There he sits to receive the attack of the new confederacy, who are not great in numbers, but in talents. The ex-minister is mounted on a kind of hill fort, to fire down on the assailants; but the garrison is all manned with deserters. from the principles of the war. I should like to support the present minister on fair ground; but what is he? A sort of outside passenger—or rather a man leading the horses round a corner, while reins, whip, and all, are in the hands of the coachman on the box—*(looks at Mr. Pitt's elevated seat, three or four benches above that of the treasury.)* Why not have an union of the two ministers, or, at least, some intelligible connection? When the ex-minister quitted office, almost all the subordinate ministers kept their places. How was it that the whole family did not move together? Had he only one covered waggon to carry away friends and goods? Or has he left directions behind him, that they may know where to call? I remember a fable of Aristophanes;—It is translated from Greek into decent English. I mention this for the country gentlemen. It is of a man that sat so long on a seat (about as long, perhaps, as the ex-minister did on the treasury-bench,) that he grew to it. When Hercules pulled him off, he

left all the sitting part of the man behind him. The house can make the allusion. This is not a noble, manly kind of coalition between these gentlemen. Of that ex-minister I would just say, that no man admires his splendid talents more than I do. If ever there was a man formed and fitted by nature to benefit his country, and to give it lustre, he is such a man. He has no low, little, mean, petty vices. He has too much good sense, taste, and talent, to set his mind upon ribbons, stars, titles, and other appendages and idols of rank. He is of a nature not at all suited to be the creature or tool of any court. *(Mr. Pitt bowed repeatedly.)* But while I thus say of him no more than I think his character and great talents deserve, I must tell him how grossly he has misapplied them in the politics of this country—I must tell him again how he has augmented our national debt, and of the lives he lost in this war. I must tell him he has done more against the privileges of the people, increased more the power of the crown, and injured more the constitution of his country, than any minister I can mention. Of the resignation of the late ministry, I don't believe one word of what is said about catholic emancipation.—I could as soon believe it was because they had discovered the longitude. If they did go out on that ground, they were certainly at liberty so to do. But after they had quitted their situations they circulated a paper in Ireland, attributing the failure of an indispensible measure to resistance in a certain quarter, and that quarter was their sovereign; and directing the Irish catholics to look to them for hope of relief. If this was short of high treason, how far short of it I cannot define. If, however, that measure was necessary to carrying on hostilities, we have certainly done right so far in making this peace.

Mr. Sheridan concluded with stating, that he considered it fair to those who had entertained the sentiments he did, of the rise and progress of the war, to record the real grounds on which we approve of a peace, the term

of which are so inadequate and so insecure. Supposing that Mr. Windham's motion should be rejected, he had framed his in such a manner as to come as an amendment to lord Hawkesbury's; and according to the precedent of the other, might make it in the shape of a resolution, by leaving out all the words of the address but *that*, and then proceed:

"It is the opinion of this house, that the omission of various opportunities of negociating a peace with advantage to this country, and more especially the rejection of the overtures made by the chief consul of France, in January 1800, appears to this house to have led to a state of affairs, which rendered peace so necessary as to justify the important and painful sacrifices which his majesty has been advised to make for the attainment thereof."

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